

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 30th January 1929.

The House met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.

Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.

Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M. Subbarayan, The hon. Dr. P.

Muthiah Mudaliyar, The hon. Mr. S. Seturatnam Ayyar, The hon. Mr. M. R.

Abdul Hameed Khan Sahib Bahadur. Abdul Hye Sahib Bahadur, K.

Abdul Razack Sahib Bahadur, Khan Bahadur S. K.

Abdul Wahab Sahib Bahadur, Munshi. Adinarayana Chettiyar, Mr. T.

Anjaneyulu, Mr. P. Appavu Chettiyar, Mr. C. D.

Arogyaswami Mudaliyar, Diwan Bahadur S. N.

Arpudaswami Udayar, S. Basheer Ahmad Sayeed Sahib Bahadur.

Baz-ul-lah Sahib Bahadur, C.I.E., O.B.E., Khan Bahadur Muhammad.

Bhaktayatsulu Nayudu, Mr. P. Bhanoji Rao, Mr. A. V.

Bheemayya, Mr. J. Biswanath Das Mahasaya, Sriman.

Chilambaranatha Mudaliyar, Mr. T. K. Cotton, C.I.E., I.C.S., Mr. C. W. E.

Corley, Mr. F. E. Cunningham, Mr. C. B.

Davis, Mr. J. A. Dorai Raja, Mr. S. N.

Ellappa Chettiyar, Rao Bahadur S. Ethirajulu Nayudu, Diwan Bahadur P. C.

Foulkes, Mr. K. Gangadhara Siva, Mr. M. V.

Gnanavaram Pillai, Mr. P. J. Gopala Menon, Mr. C.

Govindaraja Mudaliyar, Mr. C. S. Guruswami, Rao Sahib L. C.

Hampayya, Rai Sahib M. Harisarvottama Rao, Mr. G.

Hearson, Mr. H. F. P. James, Mr. F. F.

John, Mr. V. Ch. Kaleswara Rao, Mr. A.

Karant, Mr. K. R. Kesava Pillai, C.I.E., Diwan Bahadur P.

Khadir Mohidin Sahib Bahadur, Muhammad. Koti Reddi, Mr. K.

Krishnaswami Ayyar, Mr. Alladi. Krishnaswami Nayakar, Mr. K. V.

Kumara Raja of Venkatagiri.

Kumaraswami Reddiyar, Diwan Bahadur S. Madhavan Nayar, Mr. K.

Mahmud Sehamad Sahib Bahadur. Mallayya, Dr. B. S.

Manikkavelu Nayakar, Mr. M. A. Marudavannam Pillai, Mr. C.

Moidoo Sahib Bahadur, Khan Sahib F. M. Muniswami Nayudu, Rao Bahadur B.

Muniswami Pillai, Mr. V. I. Muppil Nayar of Kavalappara *alias* Kumaran Raman.

Murugappa Chettiyar, Diwan Bahadur A. M. M.

Muthulakshmi Reddi, Dr. (Mrs.) S. (*Deputy President*).

Muthuranga Mudaliyar, Mr. C. N. Nagan Gowda, Mr. R.

Nanjappa Bahadur, Subadar-Major S. A. Narayana Raja, Mr. D.

Narayana Rao, Mr. M. Narayanan Nambudripad, Rao Bahadur O. M.

Narayanaswami Pillai, Mr. T. M. Narayanaswami Chetty, Diwan Bahadur, G.

Obi Reddi, Mr. C. Parasurama Rao Pentulu, Mr. A.

Patro, *Kt.*, Rao Bahadur Sir A. P. Premayya, Mr. G. R.

Rajan, Mr. P. T. Ramachandra Padayachi, Mr. K.

Ramachandra Reddi, Mr. B. Raman Menon, Mr. K. P.

Ramanath Goenka, Mr. Ramasomayajulu, Mr. C.

Ramjee Rao, Mr. V. Ramaswami Ayyar, Mr. U.

Ramalinga Reddi, Mr. C. Ranganatha Mudaliyar, Mr. A.

Ratnasabhapati Mudaliyar, Rao Bahadur C. S. Robertson, Mr. R. J. C.

Sahajanandam, Swami A. S. Saldanha, Mr. J. A.

Sami Venkatachalam Chetti, Mr. Satyamurti, Mr. S.

Shetty, Mr. A. B. Sitarama Reddi, Rao Bahadur K.

Siva Raj, Mr. N. Siva Rao, Mr. P.

Sivasubrahmanya Ayyar, Mr. K. S. Slater, C.M.G., C.I.E., I.C.S., Mr. S. H.

Smith, Mr. W. E. Soundara Pandia Nadar, Mr. W. P. A.

Souter, I.C.S., Mr. C. A.

[30th January 1929]

PRESENT—cont.

Srinivasa Ayyangar, Mr. R.
 Srinivasan, Rao Sahib R.
 Subrahmanya Moopnar, Mr. S.
 Subrahmanya Pillai, Chavadi K.
 Swami, Mr. K. V. R.
 Tajudin Sahib Bahadur, Syed.
 Tampoe, I.C.S., Mr. A. McG. C.
 Thomas, Mr. Daniel.
 Talasiram, Mr. L. K.
 Uppi Sahib Bahadur, K.
 Vanayudaiya Gounder, Mr. S. V.

Venkatapati Raju, Mr. P. C.
 Venkatarama Ayyar, Mr. K. R.
 Venkataramana Ayyangar, Mr. C. V.
 Venkatarangam Nayudu, Mr. C.
 Venkataratnam, Mr. B.
 Venkiah, Mr. S.
 Watson, I.C.S., Mr. H. A.
 Wood, Mr. C. E.
 Wright, Mr. W. O.
 Zamindar of Gollapalli.
 Zamindar of Singampatti.

I

NEW MEMBERS.

The undermentioned new Special Members made the prescribed oath or affirmation of allegiance to the Crown and took their seats :—

Mr. C. B. CUNNINGHAM.

Diwan Bahadur G. NARAYANASWAMI CHETTIYAR.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Constitution of districts and divisions

Restoration of the Siruguppa taluk in Bellary district.

* 1148 Q.—Mr. P. SIVA RAO: Will the hon. the Member for Revenue be pleased to state why no effect has hitherto been given to the proposal for the restoration of the Siruguppa taluk in the Bellary district which has been sanctioned by the Government?

A.—The proposal is still under the consideration of the Government. It is a scheme for inclusion in the next Budget subject to orders on the objections of certain villagers.

Gazetteers

Progress made in the revision of District Gazetteers.

* 1149 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state what progress has been made so far by the Personal Assistant to the Editor of Gazetteers during the sixteen months he has been in charge of the gazetteer work?

A.—The progress made up to the end of September 1928 was as stated below :—

B. Volumes (or Statistical Appendices) for Chittoor, Kurnool, Guntur, Chingleput, the Nilgiris, Coimbatore, Cuddapah, Anantapur, South Arcot, Salem, Bellary and Tinnevely had been completed and final proofs had been sent to the press.
 B. Volumes for Nellore, North Arcot, Ramnad, Ganjam, South Kanara, East Godavari, Vizagapatam, Madura, Malabar, Tanjore and Trichinopoly had also been completed

30th January 1929]

and the proofs were in various stages of examination. A supplementary chapter for the Nilgiris had been finally approved. Proofs of supplementary chapters for Madura and Bellary were under examination. The chapter for Cuddapah had been compiled and sent to the press while that for Trichinopoly was being edited.

Irrigation

Investigation of the Appapuram project in Guntur district.

* 1150-A Q.—Mr. P. ANJANEYULU: Will the hon. the Member for Revenue be pleased to state—

(a) how far the investigation has been made regarding the Appapuram project in the Guntur district;

(b) why it was suspended;

(c) whether the Government intend to take up the subject in the near or distant future;

(d) how many acres would be brought under wet cultivation if this project should be undertaken; and

(e) if the answer to clause (c) be in the negative, what are the obstacles in the way of the Government undertaking the project?

A.—The Appapuram Irrigation Project was abandoned in 1910 for the reasons given in paragraph 5 of the note^a by the Chief Engineer for Irrigation, dated 29th April 1910, a copy of which is laid on the table.

As a result of the installation of six feet shutters on the Kistna Anicut, a block measuring 20,000 acres included in the Appapuram Project has been proposed along with other areas to be brought under short crop irrigation, for the investigation of which a special division is proposed to be sanctioned with effect from 1st April 1929, subject to the vote of the Legislative Council.

Investigation of the Rajaypet reservoir.

* 1150-B Q.—Mr. P. ANJANEYULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether Government have made any investigation into the Rajaypet reservoir project in Narasaraopet taluk, Guntur district; and

(b) if so, why it was given up?

A.—The Rajaypet tank project (otherwise called the Boddulavagu tank project) was first investigated in 1903-04. Subsequently, on the recommendation of the Chief Engineer for Irrigation that the major portion of the ayacut to be served by the project was commandable by the Kistna Reservoir Project then under consideration, the further investigation of the project was suspended in 1911.

[30th January 1929]

The consideration of the Kistna Reservoir Project has been postponed until the Cauvery-Mettur Project is completed or nearing completion. The question of taking up the Rajapet tank project independently of the Kistna Reservoir Project is under correspondence with the Chief Engineer for Irrigation.

Mr. K. KOTI REDDI :—" May I know, Sir, what the connexion is between the Kistna Reservoir Project and the Cauvery-Mettur Project and why the former project should be postponed until the completion of the Cauvery-Mettur Project ? "

The hon. Sir NORMAN MARJORIBANKS :—" Money, Sir, and establishment."

Mr. K. KOTI REDDI :—" May I know, Sir, if the credit of this Government is so low that, if the Government realise the necessity for taking up the Kistna Reservoir Project, they cannot raise sufficient money in the shape of a loan ? "

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir ; there is also the question of establishment ; we do not have enough establishment for both the projects."

Mr. K. KOTI REDDI :—" May I ask if it is impossible to get sufficient establishment ? "

The hon. Sir NORMAN MARJORIBANKS :—" It was thought so when that decision was reached."

Mr. K. KOTI REDDI :—" What is the decision at present ? "

The hon. Sir NORMAN MARJORIBANKS :—" I cannot say, Sir ; they have not considered the question."

Mr. P. ANJANEYULU :—" May I know which of these two projects is the later one, Kistna Reservoir Project or Cauvery-Mettur Project ? "

The hon. Sir NORMAN MARJORIBANKS :—" I cannot say, Sir. Both these projects are clouded in the mist of history."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask if the Government cannot find necessary money for the investigation of the Kistna Reservoir Project ? "

The hon. Sir NORMAN MARJORIBANKS :—" They are now engaged in the investigation of the Tungabhadra Project. They cannot add to that investigation that of the Kistna Reservoir Project."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know if the Kistna Reservoir Project is not considered part of the Tungabhadra Project and whether the two projects will be investigated separately ? "

The hon. Sir NORMAN MARJORIBANKS :—" We are at present investigating the Tungabhadra Project. When we get the result of the investigation we shall have to consider the further question of investigating the Kistna Reservoir Project or some other project, say the Sangameswaram Project."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask if the Government would wait for the result of the Tungabhadra Project before launching on the Kistna Reservoir Project ? "

30th January 1929]

The hon. Sir NORMAN MARJORIBANKS:—"Until the result of the investigation is known."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"I wish to know if the Government have now come to the conclusion that they are going to wait and see the results of the Tungabhadra Project before they investigate the Kistna Reservoir Project, whether the Ceded Districts Irrigation Committee recommended both the schemes, and whether the Government are going to treat the two schemes separately?"

The hon. Sir NORMAN MARJORIBANKS:—"I said, Sir, that the Government intend to wait for the result of the investigation and not the result of the project."

Mr. A. KALESWARA RAO:—"May I know, Sir, which of the two schemes, the Kistna Reservoir Project or the Cauvery-Mettur Project fetches a greater percentage of income to the Government?"

The hon. Sir NORMAN MARJORIBANKS:—"On the calculations and estimates prepared at the time when these questions were considered the Cauvery-Mettur Project was considered to be more productive."

Report on the Kandleru scheme in Vinukonda taluk.

* 1151 Q.—Mr. P. ANJANEYULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether any report has been received from the Collector of Guntur regarding the Kandleru scheme in Vinukonda taluk, Guntur district; and

(b) if so, what the Government intend to do in the matter?

A.—(a) Yes.

(b) The Government propose to sanction a special establishment to gauge the Kandleru river for seven months in the year for three years commencing from 1929 in order to ascertain the supply available.

Construction of shutters with greater height on the Godavari Anicut.

* 1152 Q.—Mr. K. V. R. SWAMI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the report regarding the construction of shutters with greater height over the Godavari Anicut promised in the answer to the last supplementary question to question No. 1176 answered on 5th November 1927 was called for from the Chief Engineer;

(b) whether the same was received; and

(c) if not called for, whether the same will be called for now?

A.—A copy of the Chief Engineer's report No. 15/27-C.E.P., dated 4th April 1928, is laid on the table.

[30th January 1929]

Increase in the supply of water to the East Godavari delta.

* 1153 Q.—Mr. K. V. R. SWAMI: Will the hon. the Member for Revenue be pleased to state with regard to the question of increasing the supply of water to the delta in East Godavari—

(a) whether detailed plans and estimates called for from the Chief Engineer for altering the shutter pivots so as to let them fall with greater head and to provide travelling cranes to lift the shutters more quickly have been received by the Government;

(b) when the above arrangements are made what the estimated probable increase in the supply of water to the delta will be; and

(c) whether it is a fact that the opinion of the engineers is definite on the question that it is the above arrangement that will increase the supply of water to the delta and not the introduction of higher falling shutters?

A.—(a) They were not submitted to the Government by the Chief Engineer for Irrigation as the estimate was within his powers of sanction.

(b) Three feet of water over the crest of the ancient necessary to send a full supply to the canals in the Central delta will be maintained.

(c) The opinion of the Engineers is definite on the point that the above arrangement will increase the supply of water to the delta. The introduction of higher falling shutters would no doubt improve the supply, but it will cost about three lakhs, while the approved arrangement, viz., raising the shutter pivots by one inch, will cost only Rs. 2,600.

Mr. K. V. R. SWAMI:—"With reference to the answer to clause (a), may I know from the hon. the Revenue Member whether the Chief Engineer has issued orders for the work being undertaken? It is stated that the matter is within his powers."

The hon. Sir NORMAN MARJORIBANKS:—"Notice, Sir."

Mr. K. V. R. SWAMI:—"May I know for how long this question has been pending with the Chief Engineer?"

The hon. Sir NORMAN MARJORIBANKS:—"Which question, Sir?"

Mr. K. V. R. SWAMI:—"Clause (a) of the question—the question of providing travelling cranes to lift the shutters."

The hon. Sir NORMAN MARJORIBANKS:—"That project has been postponed to see the result of raising the shutter pivots by one inch."

Mr. K. V. R. SWAMI:—"My question is for how long this question of providing travelling cranes was before the Chief Engineer?"

The hon. Sir NORMAN MARJORIBANKS:—"If the hon. Member wants information as to when the question was first proposed, I must have notice, Sir."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know the object of the Government in putting up shutter pivots of increased height? Is it to supplement the existing irrigation facilities, or to increase the area under cultivation?"

30th January 1929]

The hon. Sir NORMAN MARJORIBANKS :—"The idea was, I believe, to improve supply to the central delta. The amount is very small. As the hon. Member will see, it is only Rs. 2,600."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Will the Government consider the possibility of increasing the ayacut of the Godavari delta?"

The hon. Sir NORMAN MARJORIBANKS :—"That matter would, no doubt, be considered."

Construction of quarters for the officers at the Headworks of the Cauvery-Mettur Project.

* 1154 Q.—Mr. K. V. R. SWAMI : Will the hon. the Member for Revenue be pleased to state—

- (a) the number of buildings constructed for officers at the Headworks of the Cauvery-Mettur Project;
- (b) the capital cost of each;
- (c) by whom the same is occupied;
- (d) whether any rent is charged; and
- (e) whether the officers receive any extra allowance?

A.—(a), (b) & (c) A statement^a giving the information is placed on the table.

(d) No.

(e) No.

Mr. K. V. R. SWAMI :—"With reference to the answer to clause (d), may I know why no rent is charged for officers who occupy the buildings there?"

The hon. Sir NORMAN MARJORIBANKS :—"It was explained in connexion with our discussion on the Cauvery-Mettur Project, that this was one of the concessions given to the officers living there?"

Mr. K. V. R. SWAMI :—"Do they get any extra allowance?"

The hon. Sir NORMAN MARJORIBANKS :—"No, Sir, except this."

Mr. P. BHAKTAVATSULU NAYUDU :—"Do the Government propose to extend this concession for any length of time, or is there any time-limit for this concession?"

The hon. Sir NORMAN MARJORIBANKS :—"During the construction of the project, Sir."

Land Revenue

Inclusion of lands in the Kistna ayacut.

* 1155 Q.—Mr. A. KALESWARA RAO : Will the hon. the Member for Revenue be pleased to state—

(a) whether the report said to have been called for by the Government in the answer to question No. 584 answered on 12th October 1928 regarding the levy of penal assessment on lands included in the ayacut of the Kistna Eastern delta has been received; and

(b) if so, what it is?

A.—(a) & (b) A copy of the information^b already sent to the hon. Member is laid on the table. It is a reproduction of the Board's report.

^a Printed as Appendix III on page 415 infra.

^b Printed as Appendix IV on page 416 infra.

[30th January 1929]

Mr. A. KALESWARA RAO :—“ When as many as 4,000 acres out of the land included in the ayacut are left waste will the Government make an investigation as to why so many acres could not be cultivated wet ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Because they are on a higher level. If the level is reduced, they will be included in the ayacut.”

Mr. A. KALESWARA RAO :—“ May I ask whether the Government Order exempting the poor ryots from the payment of the inclusion fees has been put into operation at all ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ This is a separate question and I must ask for notice.”

Levy of penal interest on arrears of takkavi loans in Anantapur district.

* 1156 Q.—Mr. C. OBI REDDI : Will the hon. the Member for Revenue be pleased to state—

(a) whether the report said to have been called for in the answer to question No. 452, answered on 9th October 1928, regarding levy of penal interest on arrears of takkavi instalments in Anantapur district, has been received; and

(b) if so, whether the Government will be pleased to lay it on the table of the House ?

A.—(a) & (b) The hon. Member is referred to G.O. No. 2709, Revenue, dated 16th November 1928, which has been laid on the table.

Mr. G. HARISARVOTTAMA RAO :—“ May I know from the hon. the Revenue Member why, according to the Government Order, the Government consider it unnecessary to get the compilation made in view of the fact that hardships have been pleaded for a long time and changes sought to be made ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Getting information for the past would not cure hardships at present existing. We have also revised the rules imposing penalties to meet the object of the hon. Member.”

Mr. G. HARISARVOTTAMA RAO :—“ Has the order issued ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I hope so; I want notice.”

Introduction of the Land Revenue Bill.

* 1157 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state with reference to the answer given to question No. 545 answered on 12th October 1928 regarding the introduction of the Land Revenue Bill—

(a) whether this Government have sent their reply to the Government of India about the matter;

(b) whether this Government received any further communication from the Government of India; and

(c) whether the Government intend introducing the Land Revenue Bill during the lifetime of this Council ?

30th January 1929]

A.—(a) Yes.

(b) Yes.

(c) There is at present no such proposal. The position has not altered from that explained in the answer to the supplementary question asked by Mr. D. Narayana Raju on the subject in connexion with the reply to question No. 545 on 12th October 1928.

Mr. C. RAMASOMAYAJULU :—“ May I ask if there is no chance of the Land Revenue Bill coming up during the lifetime of this Council? If there is at present no such proposal, may I take it that the Bill will not come up before the term of this Council expires? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Obviously, I cannot prophesy, Sir.”

Mr. S. SATYAMURTI :—“ With reference to the answers to clauses (a) and (b) of this question, may I know what the nature of the reply of this Government to the Government of India was and what the nature of the communication from the Government of India to this Government was? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I am unable to give the information.”

Mr. S. SATYAMURTI :—“ Is it because it is claimed to be confidential? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I thought the hon. Member was aware that the Local Government could not give any information regarding correspondence with the Government of India.”

Mr. P. BHAKTAVATSULU NAYUDU :—“ Has it been marked confidential? ”

Mr. S. SATYAMURTI :—“ I recognize that the Local Government has got the right of claiming it as confidential . . . ”

The hon. the PRESIDENT :—“ I do not think the hon. Member is in order in making statements.”

Mr. A. KALESWARA RAO :—“ Is it because it is marked confidential or because it is inconvenient to the Local Government, the information is refused? ”

The hon. Sir NORMAN MARJORIBANKS :—“ It is a standing rule that the Local Government cannot give information regarding communications with the Government of India.”

Mr. C. RAMASOMAYAJULU :—“ May I ask whether the result that there is no such proposal at present is the consequence of the communications which have passed? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The hon. Member cannot draw such an inference from my answer.”

Mr. A. KALESWARA RAO :—“ May I know whether this Government is interested in introducing that Bill? ”

11-15
a.m.

The hon. the PRESIDENT :—“ The hon. Member will kindly resume his seat.”

“ Before the hon. Member for the Government refuses to give an answer, I should like to refer him to rule 9 of the Madras Legislative Council Rules which lays down that in matters which are or have been the subject of

[30th January 1929]

controversy between the Governor-General in Council or the Secretary of State and the local Government, no question shall be asked except as to matters of fact . . . I wish to know whether this matter is the subject of any controversy between this Government and the Government of India."

The hon. Sir NORMAN MARJORIBANKS :—"It is not a subject of controversy."

The hon. the PRESIDENT :—"As long as it is not the subject of any controversy, the Government may be asked to give the information required."

Mr. S. SATYAMURTI :—"May I know, Sir . . ."

The hon. the PRESIDENT :—"The hon. Member will kindly resume his seat."

The hon. Sir NORMAN MARJORIBANKS :—"In that case my answer must be that I cannot give the information because it is confidential."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. the Revenue Member, whether, from the correspondence that has taken place, there is a chance of the matter being discussed further though there is no definite proposal at present before the Government?"

The hon. Sir NORMAN MARJORIBANKS :—"I am afraid I cannot say that without disclosing the nature of the correspondence."

Mr. P. BHAKTAVATSULU NAYUDU :—"I heard the hon. Member say that it is confidential. Is it in his opinion or in the opinion of the Government?"

The hon. Sir NORMAN MARJORIBANKS :—"I can only answer on behalf of the Government, Sir."

Mr. S. SATYAMURTI :—"May I know the reason why the Government treat this matter of the Revenue Settlement Bill as confidential?"

The hon. Sir NORMAN MARJORIBANKS :—"I cannot say, Sir. If the Government of India write to us confidentially, we reply confidentially."

Mr. A. KALESWARA RAO :—"May I know whether this Government has been trying to throw its responsibility in this matter on the Legislative Council, or is it anxious to keep the right in its own hands? What is the attitude of this Government?"

The hon. Sir NORMAN MARJORIBANKS :—"I am sorry I cannot make a statement on that point without disclosing the information in the correspondence."

Mr. S. SATYAMURTI :—"May I know whether the Government of Madras have communicated the feeling of this House that the Revenue Settlement Bill vesting the right of assessment in this House should be introduced early?"

The hon. Sir NORMAN MARJORIBANKS :—"As far as my recollection goes, the report of the debate in this House was communicated to the Government of India."

Mr. S. SATYAMURTI :—"May I know if the Government of India have informed this Government about their attitude towards the desire of this House in this matter apart from the desire of the Madras Government as such?"

30th January 1929]

The hon. Sir NORMAN MARJORIBANKS :—" I cannot answer the question as to what the Government of India have done."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Revenue Member whether the confidential nature of the correspondence arose from the fact that the Government of India have imposed it, or this Government itself has imposed it ? "

The hon. the PRESIDENT :—" It has been already answered."

Public Service

Application of Government Orders regarding unpassed men even to permanent officials.

* 1158-A Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Revenue be pleased to state—

(a) whether the several Government Orders on unpassed men apply even to persons permanently exempted by the Government and appointed to substantial posts on the same footing as passed men before the issue of the said Government Orders ;

(b) whether Government Orders were intended to be applied with retrospective effect and whether there were any special notifications or orders directing the heads of departments to give such retrospective effect to the said Government Orders ;

(c) if so, whether the said notifications or orders will be placed on the table of the House ;

(d) if no Government Orders or notifications have been issued to the effect mentioned in clause (b) on what authority and on what grounds the heads of departments have been applying the said Government Orders and notifications to cases of men who were granted general and permanent exemptions by Government and confirmed in their appointments on higher scales of pay, years prior to the issue of the Government Orders in question ; and

(e) what are the reasons for giving retrospective effect to such Government Orders and applying them even to cases where the unpassed men were given permanent general exemptions, were appointed to substantial and higher posts, were confirmed in their appointments and were allowed to draw several increments long prior to the issue of the Government Orders in question ?

A.—(a), (b), (c), (d) & (e) If the hon. Member will indicate more precisely the orders or the cases he has in mind the Government will be able to answer the questions. They are not aware of any orders of the Government or of heads of departments which would be correctly described in the language of the questions.

Statement showing the number of exempted unpassed clerks in South Kanara and some other districts.

* 1158-B Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased—

(i) to place before the Council a statement showing the number and names of all exempted unpassed clerks still in service after having passed the

[30th January 1929]

efficiency bar in the districts of South Kanara, Malabar, Nilgiris, Coimbatore and Salem who had been exempted permanently from 1913 onwards from the operation of article 1 of the Public Service Notification with the privilege of appearing for all special tests with a view to qualify for higher service but in whose cases the privilege of higher promotion has been barred recently within the last two years; and

(ii) to state

(a) whether there are cases of clerks still in service who have passed the efficiency bar and are still prevented from rising higher than the present lower grade on account of the recent orders cancelling the privilege which they had before;

(b) whether there are any statutory orders and rules issued by the Secretary of State to the Imperial and Local Governments not to cancel any privileges already granted by those Governments, and if so, whether the Government will be pleased to place them before the Council;

(c) under what circumstances and under what orders the privileges aforesaid once permanently granted were cancelled; and

(d) how many and which of these clerks have passed the special tests in the hope of bettering their prospects and which of them have suffered on account of the set-back by cancellation of their privileges?

A.—(i) & (ii) (a) The hon. Member has based his questions on some misapprehension. Prior to the recent introduction of the incremental scales of pay there was no efficiency bar. Promotion was by selection from grade to grade. After the introduction of the incremental scales and the prescription of an efficiency bar, there has been no case where a clerk permitted to pass the efficiency bar has been denied further progress in the incremental scale applicable to his case.

(ii) (a) & (c) The reference to "the privilege that they had before" is not understood. Clerks who have received special exemption to rise to the top of the lower incremental scale must obtain a further exemption before they can be promoted to a post on a higher incremental scale.

(b) It is a condition of the rules delegating to Local Governments power to frame rules regarding conditions of service, pay, allowances and pensions of provincial and subordinate services that the rights of persons already in the service should not be affected. This does not give any subordinate, least of all an unqualified subordinate, any right of promotion.

Reforms

Submission of a further memorandum to the Simon Commission by the Madras Government.

* 1159 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Madras Government intend submitting a further memorandum to the Simon Commission on the nature and extent of future political reforms in the province;

30th January 1929]

(b) whether it is proposed to send a joint memorandum of the two halves of the Government or separate memoranda for the Reserved and Transferred halves respectively; and

(c) whether the Government propose to place the memorandum or memoranda on the table of the Council; if so, when; and if not, why not?

A.—(a), (b) & (c) No decision has been come to on the matter as yet.

Mr. S. SATYAMURTI :—" Since the date of the receipt of this answer, which I see is 13th December 1928, may I know if the Government can throw further light on this matter ? "

The hon. Sir NORMAN MARJORIBANKS :—" The answer to (a) and (b) remains the same. As regards (c) I can say that having regard to the time available and the matter having been considered, if any memorandum is sent it will not be laid on the table by this Government for the reason that it is a memorandum addressed to the Commission and it is for them to publish it if they wish."

Mr. S. SATYAMURTI :—" With regard to (b), have the Government come to any conclusion as to whether the memorandum is to be two separate memoranda, one on behalf of the Reserved half and one on behalf of the Transferred half of the Government, or whether there is going to be a joint memorandum ? "

The hon. Sir NORMAN MARJORIBANKS :—" I have just said that the answer to (a) and (b) remains as on paper."

Mr. S. SATYAMURTI :—" May I know approximately the time when the Government expect to be in a position to come to a decision on these two matters ? "

The hon. Sir NORMAN MARJORIBANKS :—" I cannot undertake to say, Sir ? "

Staff Selection Board

Appointment of officials and non-officials as members of the Staff Selection Board.

* 1160 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased—

(i) to place before the Council a statement showing the officials and non-officials appointed as members of the Staff Selection Board; and

(ii) to state

(a) whether any non-officials are appointed and if so, how long they are to hold the appointment; and

(b) whether any Member of the Legislative Council has been appointed to hold the post and, if so, on what grounds?

A.—(i) The members of the Staff Selection Board are—

(1) Officials.

1. The Chief Secretary to Government.
2. The Surgeon-General.
3. The Director of Public Instruction.

[30th January 1929]

(2) *Non-officials.*

4. M.R.Ry. Diwan Bahadur W. L. Venkataramayya Garu.
5. Mahmud Schamnad Sahib Bahadur, M.L.C.
6. M.R.Ry. P. T. Kumaraswami Chetti Garu.

(ii) (a) The hon. Member is referred to the answers to clause (i) above and to question No. 977 (d) asked at the meeting of the Council on 31st October 1927.

(b) Yes. Please see answer to clause (i). The nomination is made by His Excellency the Governor.

Mr. J. A. SALDANHA :—" May I enquire whether the Staff Selection Board will be merged into the Public Services Commission ? "

The hon. Sir NORMAN MARJORIBANKS :—" I do not know what the hon. Member means by merging. If the Public Services Commission is set up, the Staff Selection Board will of course cease to exist."

Mr. J. A. SALDANHA :—" May I enquire with regard to (ii) (a) and (b) of this question, without any disrespect to any particular individual, whether it is compatible with the position of an hon. Member of this House under obligation to his constituency that he should be made a member of the Staff Selection Board ? "

The hon. the PRESIDENT :—" That is asking for opinion."

Mr. J. A. SALDANHA :—" May I know whether the Government have considered the difficulty in which an hon. Member of this House is placed by being appointed as a member of the Staff Selection Board ? "

The hon. the PRESIDENT :—" The difficulty of a Member is not a matter of public concern."

Mr. A. KALESWARA RAO :—" May I know whether there are any principles guiding the Government in the matter of making the appointments ? "

The hon. Sir NORMAN MARJORIBANKS :—" The Government are not making the appointments."

Criminal Settlements

Alleged compulsion of Hindu boys in settlement schools to attend Sunday service, etc.

* 1161 Q.—The ZAMINBAR OF GOLLAPALLI: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the Hindu boys in the settlement schools are registered in Christian names;

(b) whether it is a fact that the managing bodies of the settlements are making the settlers attend churches on Sundays for service though they are Hindus;

(c) whether it is a fact that settlement schools are closed for Michaelmas instead of Dasara; and

(d) what is the amount contributed to each settlement for churches, Hindu temples and mosques by the Government?

30th January 1929]

A.—(a) The answer is in the negative.

(b) Attendance of Hindus at church service on Sundays is not compulsory.

(c) Like most other schools, the settlement schools are closed for the Michaelmas holidays.

(d) No contribution is made by Government.

The ZAMINDAR OF GOLLAPALLI :—" With regard to the answer to clause (a) of this question, I wish to know whether the Government made any enquiry ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
" The answer has been given after making the enquiry. "

The ZAMINDAR OF GOLLAPALLI :—" The answer to clause (b) is that attendance of Hindus at church service on Sundays is not compulsory. I wish to know whether there is any inducement by the masters to the pupils to attend the lectures ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
" No, Sir. "

Mr. A. KALESWARA RAO :—" The answer to clause (c) says that like most other schools, the settlement schools are closed for the Michaelmas holidays. Is it closed in accordance with the desire of the pupils ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I should like to have notice of the question. "

Mr. A. RANGANATHA MUDALIYAR :—" Was any notice put up in any prominent place that it is entirely optional to the Hindus ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
" They know that it is optional. "

Mr. A. KALESWARA RAO :—" Is it a fact that after the settlement was opened there, there have been many conversions from Hinduism to Christianity among the settlers ? "

• The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The Government are not aware of it. "

Mr. T. ADINARAYANA CHETTIYAR :—" Do the Government know whether there has been any conversion at all ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
" No. "

Mr. P. BHAKTHAVATSULU NAYUDU :—" Will the Government enquire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I have already replied, Sir. "

Labour

Appointment of the District Labour Officer, Malabar.

* 1162 Q.—Mr. V. I. MUNISWAMI PILLAI : Will the hon. the Home Member be pleased to state—

• (a) whether Government have appointed a successor to the late Honorary District Labour Officer for Malabar ; if not, when the officer will be appointed ; and

[30th January 1929]

(b) what arrangements have been made to attend to the duties of the District Labour Officer?

A.—(a) No. It is proposed to appoint a full-time District Labour Officer for Malabar from the year 1929-30.

(b) The Tahsildar of Calicut is attending to the duties of the District Labour Officer in addition to his own duties.

MR. V. I. MUNISWAMI PILLAI :—“ May I know whether the Government will consider the claims of the depressed classes for the appointment of the District Labour Officer, Malabar? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Notice.”

MR. V. I. MUNISWAMI PILLAI :—“ May I know whether the Government will consider the claims of the depressed classes for the appointment of the District Labour Officer, Malabar? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ It is not possible for me to give any undertaking at this stage.”

Police

Enquiry into the double murder at Melapalaiyam.

* 1163 Q.—MR. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware of the fact that a double murder was committed at Melapalaiyam, Tinnevely district, in August last in the residence of the murdered and that the murderers have not been traced up to date;

(b) whether the Government will be pleased to call for the details of investigation and place the same before the Council; and

(c) whether the Government will consider the desirability of issuing necessary orders for placing the enquiry in the hands of Police officers from outside the district?

A.—(a) No.

(b) & (c) No.

If any one concerned is dissatisfied with the investigation he should in the first instance represent matters to the District Superintendent of Police or District Magistrate.

MR. ABDUL HAMID KHAN :—“ With reference to clause (a), may I know whether the Government will be pleased to call for the information? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ It is not necessary. The hon. Member may bring it to the notice of the District Magistrate.”

MR. ABDUL HAMID KHAN :—“ In case the District Magistrate or the District Police Officer is not minded to take any interest in the matter, may I know whether the Government will not interest itself directly? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Well, if they refuse to take notice, the Government may then be addressed.”

30th January 1929]

Occupation of the police quarters at Charmadi by the Puttur Taluk Board.

* 1164 Q.—Mr. K. R. KARANT: Will the hon. the Home Member be pleased to state—

(a) what amounts were spent for the police station and constables' quarters at Charmadi in South Kanara, and in what year or years they were built;

(b) since what date they have discontinued to be in use;

(c) what amounts, if any, have been spent since then for their watch or repairs;

(d) whether they are used for any other purposes;

(e) whether it is a fact that they are going to ruin;

(f) whether any request was made by the Puttur Taluk Board to permit the station to be used for Local Board Elementary school, which has no proper habitation of its own;

(g) whether it is a fact that the request has been refused; and if so, for what reasons; and

(h) whether Government propose to reconsider the matter and permit the taluk board to use it for the school purposes, on condition that they should vacate it in case Government require it for their purposes; and if not, why not?

A.—(a) The police station and constables' huts were constructed in 1917 at a cost of Rs. 3,238 and Rs. 6,064 respectively.

(b) In the re-allocation which was given effect to from 15th April 1926 the police station at Charmadi was abolished, but the station house and the police lines were retained for the use of the police staff engaged for temporary beat work during the coffee season.

(c) For repairs—

	RS.	A.	P.
(1) Station building	41	13	6
(2) Constables' huts	71	0	0
Amount spent on the watcher ...	8	11	0

(d) No.

(e) No.

(f) Yes.

(g) Yes, for the reason stated in answer to clause (b).

(h) The matter is under consideration.

Madras Record Office

Transfer of Persian records in the Madras Record office to the present building.

* 1165-A Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state—

(a) when the Persian records in the Madras Record office were transferred to the present building;

(b) what steps were taken by Mr. Dodwell to arrange them, catalogue them and otherwise make them available to scholars;

(c) who was assisting Mr. Dodwell in this connexion;

(d) what progress has been made during and after Mr. Dodwell's time; and

[30th January 1929]

(e) whether any materials left by Mr. Dodwell cannot be made available to research scholars; if so, why?

A.—(a) 1910.

(b) A list of some of these records was made by Mr. Dodwell.

(c) One of the clerks of the office.

(d) Beyond the listing of some of these records, nothing has been done in respect of these records during or after Mr. Dodwell's time.

(e) Yes.

Under the existing rules research scholars can be allowed access to these records.

Appointment of a clerk in the Madras Record office.

* 1165-B Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state whether an advertisement was published in the *Fort St. George Gazette* on 20th November 1923 by the Deputy Secretary, Finance Department, dated 17th November 1923, calling for applications from Persian and Hindustani knowing men for a clerk's post in the Madras Record office; how many applied for the post and why no appointment was then made; and when the Government propose to fill the vacancy?

A.—Yes.

Eleven candidates applied. No suitable candidate was available.

The Government do not intend now to make such an appointment.

Action taken on the report on the working of the Madras Record office.

* 1165-C Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to place on the table the orders on the report of the Special Officer Mr. H. A. B. Vernon, I.C.S., on the working of the Madras Record office?

A.—The Government have not passed orders on the report.

Classification and printing of Persian records in the Madras Record office.

* 1165-D Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state—

(a) the number of bundles of Persian records preserved in the Madras Record office;

(b) whether the same have been listed or catalogued or sorted;

(c) whether the lists so prepared have been printed or published, and if not, why not; and

(d) what steps have already been taken or are proposed to be taken by the Government to classify and print the Persian records and make them available to the research scholars and students?

A.—(a) The Persian records comprise of about 365 bundles of various sizes and about 330 volumes.

(b) A rough list of the contents of these records has been prepared.

30th January 1929]

- (c) & (d) No steps have been taken beyond those mentioned under (b) and the Government do not propose to do anything further for the present.

*Limitations on the appointing powers of the Officiating Curator,
Madras Record office.*

* 1165-E Q.—MR. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state—

(a) what limitations have been imposed upon the exercise of powers of appointment by the Officiating Curator;

(b) whether it is the case in any other branch of the Secretariat or Department of Government, that an officer drawing a salary of Rs. 300 is empowered to appoint staff with salaries ranging from Rs. 40 to Rs. 200; and

(c) whether the Government will consider the desirability of suitably remedying this anomalous position?

A.—(a) None, except the restrictions contained in general rules.

(b) & (c) The pay of the Curator is not Rs. 300; the questions do not arise.

Civil Justice

Expenditure on Judicial administration in the Ganjam district.

* 1166 Q.—SRIMAN BISWANATH DAS MAHASAYO: Will the hon. the Law Member be pleased to state the expenditure incurred in the Ganjam district under the head of Judicial administration for each of the years 1926 and 1927?

A.—The Government have no information.

SRIMAN BISWANATH DAS MAHASAYO:—“May I know whether the Government have not got the estimates of expenditure for these years for the civil courts of Ganjam?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Yes, but it is not given separately for the district of Ganjam.”

SRIMAN BISWANATH DAS MAHASAYO:—“May I know whether these estimates of expenditure are not submitted by the district courts either to the Government or to the High Court?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“To the High Court I believe, and not to the Government.”

SRIMAN BISWANATH DAS MAHASAYO:—“If so, will they be pleased to call for them?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“I do not think any useful purpose will be served by getting them. So I am sorry I cannot get them.”

SRIMAN BISWANATH DAS MAHASAYO:—“May I know whether the Government are aware of the fact that there is some enquiry going on in regard to this matter?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“I am not aware.”

[30th January 1929]

Increase of Pay to process-servers.

* 1167 Q.—Mr. V. I. MUNISWAMI PILLAI: Will the hon. the Law Member be pleased to state with reference to questions Nos. 43 and 315 answered on 23rd and 27th August 1927 respectively regarding the increase of pay for process-servers—

(a) whether a reply has been received from the High Court;

(b) if not, whether the Government will be pleased to call the High Court for an early reply;

(c) whether it is a fact that a deputation of process-servers under the leadership of Mr. J. A. Saldanha, M.L.C., waited on the hon. the Law Member a month or two ago and while representing their grievances presented a copy of the resolutions passed in the Provincial Conference of the Civil Court Process-servers held at Madura on the 24th and 25th May 1928; and

(d) what the Government have done or propose to do in regard to the pay and the other grievances of the process-servers?

A.—(a) & (b) The High Court's reply has been received.

(c) The facts are as stated by the hon. Member.

(d) The attention of the hon. Member is invited to the answer given to question No. 220.

Mr. J. A. SALDANHA :—"May I know from the hon. the Law Member whether the High Court has recommended the increase?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I want notice."

Criminal Justice*Appointment of a Special Bench in the Ootacamund Solicitors' appeal.*

* 1168-A Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state whether it was at the instance of Government that a Special Bench consisting of no Civilian Judges was constituted for hearing the criminal appeal of the Ootacamund Solicitors in October last?

A.—The answer is in the negative.

The hon. Member is referred to section 108 of the Government of India Act.

Mr. ABDUL HAMID KHAN :—"The answer to this question is in the negative. May I know how far the Government are interested and in what other way they are interested?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The Government are not in any way interested."

Appointment of a Special Public Prosecutor in the Ootacamund Solicitors' case.

* 1168-B Q.—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state—

(a) who appoints Special Public Prosecutors;

(b) on whose recommendations the Special Public Prosecutor was appointed in the recent criminal appeal by the two European Solicitors of Ootacamund;

30th January 1929]

(c) what were the special reasons that made the Government appoint a Special Public Prosecutor in the said criminal appeal over the head of the permanent Public Prosecutor and other criminal lawyers some of whom had done criminal work for Government;

(d) whether it was brought to the knowledge of the Government by the recommending authority that the Special Public Prosecutor in the criminal appeal in question was attached for a long time as a junior on the civil side to Mr. Nugent Grant who was the defence counsel in the criminal appeal in question;

(e) whether it is a fact that the criminal appeal has ended in an acquittal; and

(f) on what terms the Special Public Prosecutor was appointed and what were the fees paid to him?

4.—(a) The hon. Member is referred to section 492 of the Code of Criminal Procedure.

(b) He was appointed by Government on the recommendation of the Public Prosecutor, Madras.

(c) The Public Prosecutor, Madras, could not appear in the appeal as he was engaged on an important case in the mufassal.

(d) No.

(e) The conviction of Mr. Walker, the first accused in this case, was confirmed and the sentence was reduced to two years' simple imprisonment and the second accused was acquitted.

(f) He was paid fees at the rate of Rs. 87-8-0 a day subject to a maximum of Rs. 300.

Mr. ABDUL HAMID KHAN:—"The answer to clause (d) of this question means that the Government did not know that the gentleman concerned was an assistant, a junior to Mr. Nugent Grant. May I know whether the Government will now make an enquiry?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No, Sir, because it will be a reflection upon the professional conduct of the gentleman concerned."

Alleged prohibition of the public meeting at Tiruvannamalai.

* 1169 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that on 8th November 1928 when Mr. P. V. Hanumantha Rao was lecturing in front of the temple at Tiruvannamalai, North Arcot district, he was served with a prohibitory order, under section 144, Criminal Procedure Code, by the Sub-Magistrate;

(b) whether one of the grounds for the passing of the order is the presence in the town of Tiruvannamalai of an anti-Congress party;

(c) whether Government have issued any instructions to allow political speeches only in those localities where there is not a strong section of people holding opposite political views;

(d) (1) if so, what is the percentage of the population holding a particular political view that should determine whether propaganda by people from the opposite political camps is to be permitted in any particular locality;

[30th January 1929]

(2) what is the method by which Government determine the measure of political feeling of a particular kind in a particular locality ;

(e) whether it is a fact that the Sub-Magistrate and the Police officer tried to dictate to Mr. Hanumantha Rao on what particular topics he should address the meeting and whether the Sub-Magistrate asked Mr. Hanumantha Rao particularly not to talk about khaddar at the meeting ; and

(f) whether it is a fact that force or show of force was used by the police in dispersing the above public meeting at Tiruvannamalai on 8th November 1928 ?

A.—(a) Yes.

(b) No.

(c) No.

(d) Does not arise.

(e) No.

(f) No.

Mr. T. ADINARAYANA CHETTIYAR :—“ Does the hon. the Law Member deny that the Sub-Magistrate asked Mr. Hanumantha Rao not to talk about khaddar but about other subjects ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I deny it.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Does the hon. the Law Member deny that the Sub-Magistrate threatened the people saying that he would call in constables to disperse the meeting ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Notice.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Does the hon. the Law Member deny that the Sub-Magistrate told the audience to disperse saying that they will be charged as an unlawful assembly ? ”

The hon. the PRESIDENT :—“ The question is assuming more the shape of cross-examination.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Does he deny, Sir ? Will he make an enquiry and take a statement from one of the people present ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ If a statement is presented to me I shall consider what steps should be taken upon that.”

Mr. A. KALESWARA RAO :—“ May I know whether the Sub-Magistrate is an acting man or permanent man ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Notice, Sir.”

Alleged complaints of the under-trial accused in the Railway strike conspiracy case.

1170-A Q.—Dr. B. S. MALLAIA : Will the hon. the Law Member be pleased to state—

(a) whether the attention of the Government was drawn to the complaint made to the Special Magistrate of Trichinopoly on 25th October 1928 by Mr. Singaravelu Chetti, one of the under-trial accused in the railway strike conspiracy case, regarding the unnecessary suffering caused to them ;

30th January 1929]

(b) whether it is a fact that some of the under-trial accused had to wait outside the jail gates from 7 to 9 p.m. on the 25th October night;

(c) whether it was then raining and whether in the place where they were standing, the roof was leaky and the ground was wet and damp;

(d) why this suffering and inconvenience were caused to them; and

(e) whether it is the policy of the Government to deny to the accused in cases of this kind, whatever their status may be, the conveniences given to other classes of accused?

A.—(a) No.

(b) The remand prisoners in question were brought to the jail in two batches. The first batch, one of whom was Singaravelu Chetti, was brought to the jail in jutkas at about 7 p.m. The second batch was walked from the court to the jail and arrived at about 9 p.m. The police escort in charge of the first batch refused to make over the prisoners until the arrival of the second batch, as the officer in charge who had taken over the prisoners, was accompanying the second batch.

(c) It was not raining on the evening in question. It was a bright clear moonlight evening and the verandas provided for the prisoner at the main-gate are absolutely water-proof.

(d) Beyond waiting at the gate, no inconvenience was caused to the prisoners.

(e) No.

Dr. B. S. MALLAYYA :—“ If a batch is split into two and one of them is taken early and the other late the first half has to wait till the arrival of the second ? ” a.m.

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ That is what took place in this particular case.”

Dr. B. S. MALLAYYA :—“ Does the Government realize that there was a lot of inconvenience caused till the arrival of the second batch ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I do not think there was any appreciable inconvenience.”

Dr. B. S. MALLAYYA :—“ May I know, Sir, whether waiting outside in the bitter cold weather for two hours is not an inconvenience for an old man of 68 ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It was not bitterly cold and it was not outside.”

Dr. B. S. MALLAYYA :—“ Has the hon. the Law Member called for the meteorological report or is it on information from the police report he says that the night was not bitterly cold.”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It is from a report of the Magistrate.”

Dr. B. S. MALLAYYA :—“ Will the hon. the Law Member be pleased to call for the meteorological report for verification.”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I shall not call for it.”

[30th January 1929]

Hours of meals to under-trial accused in jails.

* 1170-B Q.—Dr. B. S. MALLAYYA : Will the hon. the Law Member be pleased to state—

(a) at what hour are the meals served to under-trial accused in His Majesty's jails;

(b) whether there is any rule fixing the hours ;

(c) if so, whether that rule was observed in the case of the under-trial accused in the Trichinopoly railway strike conspiracy case ;

(d) whether Messrs. Singaravelu Chetti and others were given meals at the appointed hour on the night of the 25th October ;

(e) if not, when it was served and what were the reasons for departing from the usual hour ; and

(f) whether the men concerned are consulted before making any such departure ?

A.—(a) & (b) The hon. Member is referred to rule 347 B II (2) to (4) of the Madras Jail Manual. Information is there given of the time at which meals are served during the day to Indian prisoners in jails. This rule applies to under-trial prisoners who do not get their food from private sources—vide rule 735, Jail Manual. In the case of under-trial prisoners who get their food privately they are served as soon as it is brought to the jail.

(c) The rules do not apply to the under-trial prisoners in question as they were getting their food from private sources.

(d) & (e) They got the meals as soon as they were handed over at the jail, viz., 9 p.m. There was no delay on the part of the jail staff.

(f) The question does not arise.

Dr. B. S. MALLAYYA :—“ May I know, Sir, whether Comrade Singaravelu had every convenience due to the under-trial prisoners ?

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Yes.”

Progress of the Trichinopoly railway strike conspiracy case.

* 1170-C Q.—Dr. B. S. MALLAYYA : Will the hon. the Law Member be pleased to state—

(a) when the enquiry in the Trichinopoly railway strike conspiracy case commenced ;

(b) how many prosecution witnesses have been so far examined and how many remain to be examined ; and

(c) what steps the Government have taken or propose to take to speed up examination of the witnesses ?

A.—(a) 26th September 1928.

(b) One hundred and thirty-three witnesses. Twenty-two witnesses remain to be examined.

(c) The Government have taken and propose to take no steps in the matter.

30th January 1929]

Dr. B. S. MALLAYYA :—“ May I know, Sir, how long this case is likely to go on and what will be the cost that the Government will have to incur on account of this trial? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I cannot say.”

Jails

Employment of I.M.S. Officers as Superintendents of Jails.

* 1171 Q.—Mr. ABDUL HAMID KHAN : Will the hon. the Law Member be pleased to state—

(a) how many officers of the I.M.S. are employed in the Jail Department in the Madras Presidency;

(b) why I.M.S. officers who are Military doctors by profession are regarded by the Government as qualified to be Jail Superintendents;

(c) whether I.M.S. officers before being posted to Civil work receive any training or have any experience of Jail administration; and if so, what;

(d) whether the Government of India consult the Local Government before deputing I.M.S. officers for jail work in the Presidency; and

(e) whether the Government propose to represent to the authorities in Simla that it is undesirable in the interests of the administration to have doctors as Jail Superintendents?

A.—(a) Five.

(b) High medical qualifications and a certain amount of military training are considered desirable for the superior posts in the Jail Department, viz., Superintendents of Central Jails and Inspector-General of Prisons.

(c) Before any Indian Medical Service Officer who has not had previous service in the Jail Department is appointed as Superintendent of a Central Jail he should undergo a comprehensive course of training under a selected Superintendent of a Central Jail for a period of three months.

(d) On the application of the Local Government the Government of India nominate an Indian Medical Service Officer for employment in the Jail Department of this Presidency.

(e) The answer is in the negative.

Mr. ABDUL HAMID KHAN :—“ In answer to clause (c), Sir, they say that a certain amount of military training is necessary. May I know from the hon. the Law Member for what reasons this military training is necessary? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ To keep control over the prisoners.”

Mr. ABDUL HAMID KHAN :—“ May I know whether it is the particular gentleman who keeps control over the prisoners or it is the subordinate who ought to have any kind of military training? ”

[30th January 1929]

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"He, through his subordinate."

Mr. G. HARISARVOTTAMA RAO:—"May I know, Sir, whether these I.M.S. Superintendents of Jails are permitted to make experiments on the diet of the prisoners, almost to the risk of their lives?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No."

Mr. G. HARISARVOTTAMA RAO:—"Are they allowed to make any medical experiments upon the patients?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No."

Village Courts Act

Introduction of an amending Bill to the Village Panchayats Court Act.

* 1172 Q.—Mr. A. KALESWARA RAO: Will the hon. the Law Member be pleased to state—

(a) whether the Government intend to bring an amending Bill to the Village Panchayat Courts Act, 1920; if so, when and at what stage it is; and

(b) whether it is proposed to give larger powers to the Village Panchayat Courts?

A.—(a) The Government have under consideration a Bill further to amend the Madras Village Courts Act, 1888. It is intended to make provision to the effect that a decree passed by a village court subject to the jurisdiction of one District Munsif can be transmitted for execution to another District Munsif. The Bill will be introduced in the Council as soon as it is ready.

(b) No.

Corporation

Subjects discussed at the conference of the hon. the Chief Minister and his colleagues.

* 1173-A Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state the final attitude of the Government in respect of subjects discussed at a conference recently held under the presidency of His Excellency the Governor between the hon. the Minister and his colleagues, the Minister for Public Health and the Finance Member and certain councillors of the Madras Corporation?

A.—Government have issued orders waiving the assessment of the old supply channel from the Red Hills Lake to Kilpauk water-works. They have also passed orders regarding the restoration from 1929-30 of the Government grant for the maintenance of the Mount Road and the Poonamallee High Road and the Corporation's contribution for the maintenance of the Government medical institutions in the city. The other subjects discussed at the conference are still under correspondence with the Corporation.

30th January 1929]

Appointment of the Health Officer of the Madras Corporation.

* 1173-B Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state the decision of the Government with regard to—

- (a) the appointment of the Health Officer of the Madras Corporation;
- (b) Government contribution for roads to the Madras Corporation; and
- (c) the Madras Corporation's contribution to the hospitals in the City?

A.—The hon. Member's attention is invited to the answer to question No. 1173-A.

Mr. S. SATYAMURTI:—"With reference to the answer to this question, may I know with reference to clause (a) if the hon. Minister can throw any light on that point, since the date of sending the answer?"

The hon. Dr. P. SUBBARAYAN:—"I am afraid I cannot take the matter any further."

Local Boards

Construction of bridges by the Ganjam District Board.

* 1174 Q.—Sriman BISWANATH DAS Mahasaya: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of bridges across rivers undertaken by the District Board of Ganjam from 1925-1928;

(b) the amount of money that Government have agreed to contribute out of the provincial revenue for each of these bridges;

(c) the estimated expenditure on each of these bridges;

(d) whether any portion of the accumulated railway-cess is being spent on any of these bridges;

(e) the extent of control and supervision exercised by the Government or Public Works Department officers in the construction of each of these works;

(f) whether the amounts, if any, advanced by the said district board under clause (d) for the above purpose were paid as provincial grants or advanced as loans; and

(g) if they were advanced as loans, at what rate per cent and in how many instalments they were to be repaid?

A.—(a) & (b)—

Name of bridge.	Estimated cost.	Commitment for Provincial grants.
	RS.	RS.
1. Bridge over the Bahuda	3,11,000	3,11,000
2. Bridge over the Mahendranaya	1,99,400	99,700
3. Bridge over the Mahanadi	2,90,750	1,45,375
4. Bridge over the Sandemna Gedda	31,000	31,000
5. Bridge over the Donai river on the Budambo-Buguda road	46,000	23,000
6. Bridge over the Gudohoda on the Berham-pur-Govindapur road	1,90,000	1,42,500
7. Bridge over the Hamsaralli Gedda	19,500	9,750
8. Bridge over the Rashikulya river	7,00,000	7,00,000

[30th January 1929]

- (c) The Government have no information.
- (d) Sanction has been accorded to meet half the cost of items (3) and (5) and a fourth of the cost of item (6) from the Railway cess accumulations to the credit of the District Board.
- (e) All the works except item (8) are executed under the supervision of the District Board Engineering staff; item (8) has been entrusted to Messrs. Braithwaite & Company on a lump-sum contract under the supervision of the Public Works Department.
- (f) & (g) A loan of Rs. 90,000 has been sanctioned to the District Board for item (2) repayable in twenty annual instalments, Rs. 50,000 bearing interest at $5\frac{1}{2}$ per cent per annum and Rs. 40,000 at $5\frac{1}{4}$ per cent per annum.

Alleged appointment of a member of the Tenali Taluk Board as a temporary President before his taking the oath of allegiance.

* 1175 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that a member of the Tenali Taluk Board was appointed as the temporary President of that Board in October 1928 by the President, Guntur District Board, before the former had taken his oath of allegiance as a member of the said taluk board;

(b) whether this act was brought to the notice of the Government and was declared by the Government as illegal and set aside by them; and

(c) whether they will be pleased to lay on the Council table a copy of the order referred to in (b) or any such order passed on the subject?

A.—(a) Yes.

(b) Yes. But the Government did not set aside the appointment of temporary President but only pointed out that he could not function as such, nor convene a meeting.

(c) No.

Sriman BISWANATH DAS Mahasayo:—"Sir, with reference to the answer to clause (c) may I know the reason why the Government say, 'No'?"

The hon. Dr. P. SUBBARAYAN:—"I want notice."

Expenditure by local bodies in connexion with addresses to His Excellency the Governor.

* 1176 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have issued any order or rule to the effect that local bodies may spend up to a limit of Rs. 500 in connexion with addresses or receptions to His Excellency the Governor;

(b) if so, the reasons for such an order; and

(c) what are the affairs of local bodies on which His Excellency the Governor can give an answer to them committing the Government?

30th January 1929]

A.—(a) & (b) More than one local body having proposed to spend Rupees 1,000 in connexion with the reception of His Excellency the Governor, the Government issued orders that no municipal council or district board should spend more than Rs. 500 in such connexion.

(c) The attention of the hon. Member is invited to section 52 (3) of the Government of India Act.

Mr. S. SATYAMURTI :—“ With reference to answer to clause (c) of this question, may I know if the Governor has to consult the Ministers in respect of representations made to him by the local bodies whenever they present him with addresses under section 52 (3) of the Government of India Act ? ”

The hon. Dr. P. SUBBARAYAN :—“ I have said that His Excellency is entitled to take action ; and when addresses are presented and replies are given by him they are done in consultation with the Ministers.”

Mr. S. SATYAMURTI :—“ May I know if the Ministers therefore speak through the Governor in respect of transferred subjects under their charge ? ”

The hon. Dr. P. SUBBARAYAN :—“ Naturally, if local bodies make representations he must give a reply and he gives it in consultation with the Ministers.”

Nomination of Mr. Ramachandra Padayachi as member of the South Arcot District Board.

* 1177 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government were aware when nominating Mr. P. K. Ramachandra Padayachi, M.L.C., as a member of the South Arcot District Board that he was already a nominated member of the South Arcot District Temple Committee and the District Educational Council ;

(b) why the Government nominated the same person to various bodies ;

(c) whether the Government considered the under-representation of other communities in the District Board before nominating Mr. P. K. Ramachandra Padayachi and satisfied themselves that no other suitable person was available for nomination ;

(d) whether the Government are aware that Mr. Tayaramma Padayachi, one of the members elected by the Taluk Board, Cuddalore, is the brother-in-law of Mr. P. K. Ramachandra Padayachi ;

(e) whether it is a fact that Mr. P. K. Ramachandra Padayachi was promised nomination to the District Board ; and

(f) whether the Government will be pleased to place on the table a complete list of members at present, elected, ex-officio and nominated, of the District Board stating their community and the taluk boards by which they were returned ?

A.—(a) Yes, but Mr. P. K. Ramachandra Padayachi is an elected member of the District Educational Council.

(b) Because he was considered suitable.

[30th January 1929]

(c) It is never possible to say that no *other* suitable person is available for nomination in any particular vacancy. The Government are, however, satisfied that there was in this instance no *more* suitable person for nomination, after considering the claims of members of other communities.

(d) & (e) No.

(f) A list ^a of members as on 30th September 1928 is laid on the table. No later list is available.

Municipal Councils

Recovery of the defalcated amount in Tellicherry municipality.

* 1178 Q.—Mr. K. UPPI SAHIB: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether a shroff of the Tellicherry municipality was prosecuted and convicted for defalcation of the municipal money ;

(b) whether the municipality realized the amount from anybody ;

(c) whether the Committee appointed by the Municipal Council to enquire into the matter submitted a report to the Government ; and

(d) whether the Government will be pleased to take necessary steps to recoup the loss sustained by the Council, if the Council had not yet realized the amount ?

A.—(a) Yes.

(b) No.

(c) The Committee appointed by the Council submitted its report to the Council and the Government have perused a copy of it.

(d) The Government understand that the Municipal Council proposes to file suits against the shroff and his sureties for the recovery of the amounts embezzled by the shroff.

The Examiner of Local Fund Accounts is considering the question of surcharging the loss.

Religious and Charitable Endowments

Working of the Devasthanam Committees.

* 1179 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether any report has been called for as regards the working of the newly formed Devasthanam Committees in the several districts ;

(b) whether he has decided to renew the existing committees or to hold elections or to reconstitute the committees for another year ;

(c) what is the basis on which he proposes to arrive at a decision in the matter ;

30th January 1929]

(d) whether it is a fact that several complaints were received against the Vellore Devasthanam Committee and whether the Hindu Religious Endowments Board had to interfere on several occasions; and

(e) whether Government will call for a report on the working of the Vellore Devasthanam Committee?

A.—(a) Under the rules issued under the Hindu Religious Endowments Act, the Hindu Religious Endowments Board has to submit a review of the administration of temple committees along with its administration report.

(b) & (c) The attention of the hon. Member is invited to the answer given to question No. 499 on the 10th October 1928.

(d) The information available is that the committee was not working satisfactorily mainly owing to want of funds.

(e) The Vellore Circle Temple Committee has been abolished and a new committee has been constituted for the North Arcot district from 21st August 1928.

Schemes framed under the Hindu Religious Endowments Act in Guntur district.

* 1180 Q.—MR. P. ANJANEYULU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) how many schemes have been so far framed under the Hindu Religious Endowments Act in the district of Guntur; and

(b) how many suits have been filed by archakas, trustees or others interested in the temple endowments in the same district during the years 1926, 1927 and 1928; and with what results?

A.—(a) & (b) The hon. Member is referred to the administration reports of the Hindu Religious Endowments Board so far published. The Government have no subsequent information.

Provincialization of the clerical establishment of the Hindu Religious Endowments Board.

* 1181 Q.—SRIMAN BISWANATH DAS Mahasaya: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of mutts and temples exempted by Government under the provisions of the Hindu Religious Endowments Act;

(b) the amount of contribution that is lost to the Board by such exemptions;

(c) the reasons why provident funds have not been started for the clerical staff of the office of the Hindu Religious Endowments Board;

(d) whether they are aware of the difficulties experienced by the staff of the office of the Hindu Religious Endowments Board in getting their monthly salaries; and

(e) whether they will be pleased to consider the question of provincialization of the clerical establishment of the office of the Hindu Religious Endowments Board?

[30th January 1929]

- A.—(a) Six mutts and 54 temples were exempted from some or all of the provisions of the Hindu Religious Endowments Act.
- (b) One mutt and 49 temples were exempted from the payment of contribution to the Board. Of these 45 temples are under the management of the Cochin State and information in regard to their income is not available. The annual loss to the Board in respect of the remaining four temples and one mutt is about Rs. 4,600.
- (c) The question has not been considered, on account of the unsound finances of the Board.
- (d) No. The payment of salary to the Board's staff has so far been regularly made.
- (e) The question is under the consideration of Government.

Sriman BISWANATH DAS Mahasayo:—"Sir, with reference to clause (c) may I know when the Government would finish consideration of this question?"

The hon. the PRESIDENT:—"The answer is that the question has not been considered."

Sriman BISWANATH DAS Mahasayo:—"May I know when the Government will think of considering the question, Sir?"

The hon. Dr. P. SUBBARAYAN:—"As I said, the question has not been considered on account of the unsound financial condition."

Sriman BISWANATH DAS Mahasayo:—"May I know when the Government will find the financial condition of the Board sound so as to enable them to consider the question?"

The hon. Dr. P. SUBBARAYAN:—"I want notice."

Apportionment of lands belonging to temples.

* 1182 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether Government know of any cases where apportionment of lands has been decided upon as contemplated on page 5 of the Second Administration Report of the Hindu Religious Endowments Board and if so, what those cases are and how the apportionment has been made?

A.—A statement^a showing the cases where apportionment of temple lands has been decided upon in schemes of administration settled by the Hindu Religious Endowments Board in accordance with the policy enunciated by it in paragraph 8 of its Second Administration Report is furnished.

MR. G. HARISARVOTTAMA RAO:—"With reference to the last item in the table given, may I know whether daily worship includes nithyanaivedhya theeparathana?"

The hon. Dr. P. SUBBARAYAN:—"I want notice."

30th January 1929]

Simplification of the definition of 'excepted temple' in the Hindu Religious Endowments Act.

* 1183 Q.—MR. K. V. R. SWAMI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the question of simplifying the definition of 'excepted temple' in section 9 (5) of the Hindu Religious Endowments Act, 1926, has been decided upon by the Government; and

(b) if so, with what result?

A.—(a) & (b) The question of simplifying the definition of 'excepted temple' in section 9 (5) of the Hindu Religious Endowments Act, 1926, is engaging attention, but the final form of the definition has not yet been settled.

MR. K. V. R. SWAMI:—"May I know, Sir, for how long this question has been under consideration?"

The hon. Dr. P. SUBBARAYAN:—"Since the amendment of the Religious Endowments Act was taken up."

Town-planning

Statement showing the town-planning and town improving schemes sanctioned by Government.

* 1184 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased to place before the Council a statement showing—

(a) the various town-planning and town-improvement schemes sanctioned by Government in various parts of the Presidency under section 14 of the Town-Planning Act;

(b) the approximate cost of each of them;

(c) how each has been financed, whether by means of loans borrowed from Government or out of the revenue of any municipality;

(d) how far each one of them has been carried out;

(e) how far each has been successful; and

(f) if so, how?

A.—(a) to (d) No town-improvement schemes have been sanctioned by Government. A statement^a showing the particulars required in respect of town-planning schemes is appended.

(e) & (f) The Government have no information.

MR. K. R. KARANT:—"Are the Government aware that the working of the Act is unsatisfactory?"

The hon. the PRESIDENT:—"It is asking for opinion."

MR. K. R. KARANT:—"May I know whether the Act has been properly worked?"

The hon. Dr. P. SUBBARAYAN:—"It is again a matter of opinion."

^a Printed as Appendix VII on pages 425-426 infra.

[30th January 1929]

Village panchayats

Metalling of the Kumadavalli village road.

* 1185 Q.—Mr. D. NARAYANA RAJU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Collector, West Godavari, turned down the proposal of Kumadavalli Village Panchayat, West Godavari, to have their village road metalled and if so, why;

(b) whether it is a fact he expressed the opinion that there could not be a metalled road on black cotton soil; and

(c) if so, whether his view was supported by any competent engineering authority?

A.—(a) No. The Collector simply sent a report to the Registrar-General of Panchayats on the subject as requested by the latter.

(b) No such opinion is expressed in that report.

(c) The question does not arise.

Mr. D. NARAYANA RAJU:—"With reference to clause (a) may I know, Sir, what the report of the Collector is?"

The hon. Dr. P. SUBBARAYAN:—"The Registrar-General consulted the Collector and the Collector said it is not possible to metal the road at present."

Mr. D. NARAYANA RAJU:—"May I know, Sir, on what grounds it was not considered feasible?"

The hon. Dr. P. SUBBARAYAN:—"I want notice."

Medical

Proposed abolition of the Medical school at Guntur.

* 1186 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is any proposal on the part of the Government to abolish the Medical school at Guntur and if so, why and when; and

(b) whether it is a fact that the Government have stopped the construction of the hostel of that school?

A.—(a) There has been no Medical school at Guntur.

(b) Yes.

Mr. A. KALESWARA RAO:—"May I know, Sir, whether the Government have abandoned the idea of starting a medical school at Guntur in the next school year?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"They have not officially abandoned the idea."

Mr. P. ANJANEYULU:—"May I know whether the school building has not been constructed at a great cost."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Yes."

Mr. P. ANJANEYULU:—"May I know what it cost Government?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Notice."

30th January 1929]

Mr. P. ANJANEYULU :—" May I know if it is a fact that the school has been fully equipped at a cost of Rs. 80,000 ? "

The hon. the PRESIDENT :—" It is furnishing information."

Mr. P. ANJANEYULU :—" If the school is fully equipped, may I know the reason why the school has not been opened ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The buildings are ready ; the staff is not there and the students are not there."

Mr. P. ANJANEYULU :—" Is it possible to have students before the school is opened ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" No. That is what I say ; it is all ready except starting the school."

Mr. P. ANJANEYULU :—" May I know when the school will be started ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is a question which I am not able to answer at present."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—" May I know, Sir, if the Government expect the students or teachers first ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Teachers first and students next."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—" How long will it take for the teachers to be appointed ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If the school is going to be opened, they will be appointed. The question is under consideration."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—" How long will it take for Government to consider this question ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" We have appointed a committee to go into the whole question and it will depend upon the recommendation of the committee."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—" How much money have Government sanctioned for this purpose ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not think any appreciable sum except travelling allowance for probably 2 or 3."

Mr. P. C. VENKATAPATI RAJU :—" May I know if the advisability or otherwise of opening the school was not considered before constructing the building at Guntur ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" They ought to have ; they would have."

Mr. P. C. VENKATAPATI RAJU :—" Then what is the consideration now that stands in the way of Government opening the school ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The question now under consideration is whether medical education requires overhauling and if changes in study are necessary and whether the L.M.P. course ought to continue and if so whether there should be any change in curriculum. All these things are under consideration."

[30th January 1929]

Mr. P. C. VENKATAPATI RAJU :—"Is it not a fact that the medical school was transferred from another Andhra area in view of opening this school in Guntur?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The Vizagapatam school was closed and the students were sent to Rayapuram. The medical school at Guntur would have been an accomplished fact but for the question of the course of studies."

Mr. P. BHAKTAVATSULU NAYUDU :—"What is the reasonable time by which the committee's report is expected by Government?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"In the normal course 4 or 5 months."

Mr. P. BHAKTAVATSULU NAYUDU :—"Have the Government fixed any period for the submission of the report by the committee?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Government have told them that they must do it expeditiously."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—"Am I to understand that the Government are not going to open the school in 1929?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The school is not going to be opened in 1929."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—"Am I to understand that the building will have to remain unused?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Unfortunately it has to remain unused."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"May I know, Sir, if the curriculum could not be changed if the Government think that there should be a change?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The question under consideration is whether L.M.P. course is necessary and whether the whole thing should not be converted into a university course."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—"Will the matter come before the Council?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"It is an important matter and it will have to."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. Minister whether opinions are being got from responsible people in the country with regard to the proposal to abolish the L.M.P. course?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"There is a very strong body of opinion, medical opinion and the opinion of some of the members of this Council also, that L.M.P. course should be abolished. Government hesitated very much and they have formed this committee to get advice."

Mr. G. HARISARVOTTAMA RAO :—"Apart from medical opinion I wish to know whether Government have invited opinion from prominent men in the country?"

The hon. the PRESIDENT :—"I am afraid the Council is being taken far from a medical school."

30th January 1929]

Dr. B. S. MALLAYYA :—" If the school is opened, would it not be possible to raise it to a college subsequently ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The hon. Member probably suggests that every school has to become a college."

Public Health

Segregation of lepers in the Leper Hospital at Tirumani.

* 1187 Q.—Mr. P BHAKTAVATSULU NAYUDU : Will the hon. the Minister for Public Health be pleased to state—

(a) what are the methods adopted to segregate leper patients in the Leper Hospital at Tirumani ;

(b) how many beds there are in the hospital and what is the number of patients admitted into the hospital from the date of inception of the hospital up to date yearwar ;

(c) whether the Government have ascertained the methods adopted in other countries (foreign) to avoid the spread of this disease and if so, what they are ; whether the admissions are made on voluntary basis or by compulsion by the officers of the State ; and

(d) if so, whether the Government will consider the adoption of the methods followed in other countries to prevent the spread of the disease ?

A.—(a) In accordance with the agreement entered into with the Mission authorities lepers are admitted into the Lady Willingdon Leper Settlement at Tirumani so far as accommodation is available. By their admission into the settlement the lepers are segregated from the outside public. Residence in the settlement is entirely voluntary.

(b) The hospital in the settlement has 22 beds. The number of in-patients admitted from the date of its inception up to date is as follows :—

Year.	Number of patients admitted.
From 20th July 1925 to 31st December 1925.	290
1926	905
1927	676
From 1st January 1928 up to 7th November 1928	440

(c) The measures vary from compulsory registration of all cases combined with compulsory segregation of all lepers to a complete absence of interference with the liberty of the lepers.

(d) The question has already been very carefully considered by the Government of India and by all the experts on leprosy. It is generally agreed that measures for compulsory segregation would do harm rather than good in India, and the most hopeful policy is to encourage patients to come for treatment in the early stages of the disease. In theory compulsory segregation is the ideal method of controlling leprosy, but as there are probably more than two lakhs of lepers in India this is quite impracticable. Even if there were sufficient accommodation in leper hospitals it would be quite impossible to detect and segregate all persons who are suffering from the disease.

[30th January 1929]

Mr. P. BHAKTAVATSULU NAYUDU :—" May I know if the asylum is a mission conducted one or a Government concern ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is a mission conducted one."

Mr. P. BHAKTAVATSULU NAYUDU :—" Is the Government contributing anything for maintaining this asylum ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Yes."

Mr. P. BHAKTAVATSULU NAYUDU :—" It is said that the hospital has only 22 beds but in the statistics given here there are hundreds of patients. Does the Government consider that the number of beds are adequate to the number of patients that are admitted into the hospital ? "

The hon. the PRESIDENT :—" That is asking for opinion."

11-45
a.m.

Mr. P. BHAKTAVATSULU NAYUDU :—" May I know from the hon. Minister the reason for the fall of the number of patients for the year 1927 ? From 290 in the year 1925 it went up to 905 in 1926 and in the year 1927 it has come down to 676. Is it due to the inadequacy of proper or up-to-date methods of treatment ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Unfortunately, the hon. Member does not seem to comprehend what is contained in the answer. If there are 22 beds, and if a patient is admitted once, he does not remain there throughout the year. When he goes back, another patient comes in and it is considered to be two patients for a bed."

Mr. J. A. SALDANHA :—" With reference to clause (b), I want to know whether the Government have ascertained the extent of accommodation in the existing asylum in the Leper Settlement and whether there are adequate number of asylums to admit patients who are really willing to go to the asylums ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The question relates only to the Leper Asylum in Tirumani. If the hon. Member is referring to any other asylums, I must ask for notice."

Dr. B. S. MALLAYYA :—" May I know whether the beds referred to are those in the hospital in the Leper colony ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The beds refer to the beds in the hospital."

Dr. B. S. MALLAYYA :—" May I say, Sir, that everything is not all right with the management there ? Government finds the money, the missionaries manage it and the number of admissions has been declining. Recently there was also a strike there."

The hon. the PRESIDENT :—" The hon. Member is furnishing information."

Dr. B. S. MALLAYYA :—" For the benefit of the public."

The hon. the PRESIDENT :—" This is not the opportunity for it."

Dr. B. S. MALLAYYA :—" I only want to say. . . ."

The hon. the PRESIDENT :—" The hon. Member will kindly resume his seat."

30th January 1929]

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. Minister whether, in view of the policy of encouraging patients to come for treatment in the early stages of the disease, what arrangement Government have made to bring the patients from their homes to the asylums ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Notice, Sir."

Enquiry into the causes of the death of coolies in the Law College Sewage Pumping Station.

* 1188 Q.—Mr. C. S. GOVINDARAJA MUDALIYAR : Will the hon. the Minister for Public Health be pleased to state—

(a) whether any enquiry or investigation had been held into the causes of the death of five coolies at the Law College Sewage Pumping Station ; and

(b) if so, whether he will be pleased to lay on the Council table the report submitted, if any, by the Director of Public Health and the Sanitary Engineer to Government on the causes of the tragedy and of the measures resolved to be adopted to prevent the recurrence of similar accidents and deaths ?

A.—(a) Yes. Enquiry has been made.

(b) The reports received from the Sanitary Engineer and the Director of Public Health are under consideration. The question of publishing them will be considered when orders are passed.

Mr. C. S. GOVINDARAJA MUDALIYAR :—" May I know, Sir, with reference to (b), when the report was received ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" About a month ago."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" May I know when orders are expected to be passed on the report ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I cannot possibly say, Sir."

Report of Captain Srinivasamurti.

* 1189 Q.—Mr. A. KALESWARA RAO : Will the hon. the Minister for Public Health be pleased to state—

(a) whether, as stated in the answer to question No. 595 answered on 12th October 1928, the Government have considered the recommendations made in the report of Captain Srinivasamurti ;

(b) what are the conclusions arrived at by the Government ; and

(c) whether the Government will be pleased to place Mr. Srinivasamurti's report or at least his recommendations on the table of this House ?

A.—(a), (b) & (c) The recommendations made in the report are still under consideration.

Mr. A. KALESWARA RAO :—" May I know, Sir, when the recommendations of Capt. Srinivasamurti were received ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" About four months ago."

Mr. A. KALESWARA RAO :—" How long will it take for the Government to come to any conclusion on them ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Not very long."

[30th January 1929]

Mr. A. RANGANATHA MUDALIYAR :—" Arising out of the answer to clause (c) of the question, may I know whether the report has been placed on the table of the House and, if not, why ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" They have not been placed yet on the table. Such of the recommendations as are accepted or rejected and the orders will be placed before the House."

Anti-drink propaganda by the Public Health officers.

* 1190 Q —Mr. S. SATYAMURTI : Will the hon. the Minister for Public Health be pleased to state—

(a) whether, in view of the statement of the Excise Commissioner in the Excise Administration Report for 1927-28 that officers of the Public Health department will preach the evils of *excessive* drinking, the Government have issued orders directing them to preach against all drinking ;

(b) if so, the date on which such order was issued and the terms of the order ; and

(c) if not, why not ?

A.—(a) to (c) The Government think that the hon. Member is referring to the statement of the Excise Commissioner about the order issued on 11th May 1927 to officers of the Health Department about the evils of drink. The Government are considering about further instructions to be issued.

Mr. S. SATYAMURTI :—" May I know if this is the order now in force in the department, that the officers of the Public Health Department will preach the evils of excessive drink ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" That was the order passed on 11th May 1927. A change of order is now under consideration, as I have already said."

Mr. S. SATYAMURTI :—" May I know if that is the order now in force ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The answer says that a change of order is under consideration."

Mr. S. SATYAMURTI :—" May I know, Sir, whether, apart from that fresh order, this order of 11th May 1927 is in force ? It might have been repealed or modified ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" That order has not been repealed or modified by a subsequent order."

Mr. S. SATYAMURTI :—" May I know, in view of the policy of my hon. Friend, the Minister, that Government intend carrying on propaganda *inter alia* with the help of the officers of the department against drink whether the Government propose to issue instructions asking these health officers to point out the evils of drinking whether moderate or excessive, and if so, when they propose to issue such orders ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It has been under the consideration of Government for the last four months."

Mr. S. SATYAMURTI :—" May I know when approximately the Government propose to issue orders ? "

30th January 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Not later than two months."

Mr. A. KALESWARA RAO :—" May I know whether Government believe some drinking is good to the body, but not excessive drinking ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not know what the hon. Member exactly means. Personally, I do not believe any drinking is good for the health."

Mr. P. BHAKTAVATSULU NAYUDU :—" Does Government at least think that some drinking is at least necessary for the human body ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Government does not think it is necessary, but the people who drink think it necessary."

Work done by Plague Inspectors in the Presidency.

* 1191 Q.—Mr. K. UPPI SAHIB : Will the hon. the Minister for Public Health be pleased to state—

(a) the total number of Plague Inspectors in this Presidency and the districts where they are employed ;

(b) whether it is a fact that most of them have put in a total temporary service of from 20 to 25 years and that their appointments are being sanctioned only for six months at a time, April and October every year ;

(c) whether it is a fact that in several Plague Inspectors' ranges there has been no plague or there has not been any severe attack of plague and that such attacks were confined to one or two months in each year during the past five years 1922-23 to 1926-27 ; and

(d) whether the Government will give a statement of attacks and deaths from plague in each Plague Inspector's range for the past five years 1922-23 to 1926-27 ?

A.—(a) Twenty-six, in the districts of Bellary, Coimbatore, Kistna, Kurnool, Madura, Malabar, the Nilgiris and Salem.

(b) As far as information is available, five persons have put in 20 or more years of service. The answer to the latter part of the question is yes.

(c) The Government have no information.

(d) The information is not available.

Mr. K. UPPI SAHIB :—" May I know whether there is any reason why the salary of the Plague Inspectors are sanctioned only for six months ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Because Government think that their services throughout the year are not necessary."

Mr. K. UPPI SAHIB :—" May I know why at least five people are kept on for the last twenty years ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Because that is not a permanent staff of the Government and they consider that plague will disappear from the province in course of time."

Mr. K. UPPI SAHIB :—" May I know whether these five people who have been serving Government for the last twenty years, are entitled to pension for their long service ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" That requires examination, and so I want notice."

[30th January 1929]

Mr. K. UPPI SAHIB :—" May I know whether any proposal is under the consideration of Government to make these officers permanent or to convert them into health officers ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Notice, Sir."

Registration

Simplification of the orders regarding levy of fees on encumbrance certificates in the Registration department.

* 1192 Q.—Mr. D. NARAYANA RAJU : Will the hon. the Minister for Public Health be pleased to state whether Government have taken any steps to simplify the orders on the levy of fees on encumbrance certificates issued in the Registration department ?

A. - The answer is in the negative.

Mr. D. NARAYANA RAJU :—" May I know whether the Government have considered the hardship caused by the rules regarding encumbrance certificates pointed out to Government in the course of budget discussions last March ? "

The hon Mr. S. MUTHIAH MUDALIYAR :—" The hon. Member asks in what ways the orders are proposed to be simplified. So far as I am able to see, the rules are as simple as possible, but if the hon. Member means the question of reduction of fees, that is a different matter."

Water-supply

Alleged memorials against the levy of water-tax in Tiruvannamalai municipality.

* 1193 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the rate-payers of Tiruvannamalai municipality, North Arcot district, sent a mahazar to Government protesting against the levy of water-tax by the municipality and requesting the Government not to sanction loans for a water-supply scheme for their town ;

(b) what is the amount proposed to be borrowed by the municipality for this scheme and how the municipality proposes to repay the amount ;

(c) whether Government propose to excuse repayment of the loan on the ground that Tiruvannamalai is a noted pilgrim centre ;

(d) whether the municipality has to find any sums in addition to the proposed Government loan or grant ;

(e) whether the municipality has sent in any proposals to Government for the levy of water-tax and if so, what orders have been passed by Government thereon ;

(f) what is the security which Government have demanded or propose to demand for their loan if no water-tax is to be levied ;

(g) what is the incidence of municipal taxation as it already exists ; and

(h) whether Government will make thorough enquiries into the capacity of the rate-payers to bear any additional burden before they allow this municipality to levy a water-tax ?

30th January 1929]

- A.—(a) Yes, a mahazar was received from certain rate-payers of Tiruvannamalai objecting to the grant of a loan by Government for a water-supply scheme and to the levy of water-tax.
- (b) Rs. 1,72,500. The municipal council proposes to repay this loan in 20 equal annual instalments of Rs. 14,137 each.
- (c) No.
- (d) The municipal council has to find a sum of Rs. 6,500 required to provide for the annual maintenance charges. A sum of Rupees 5,000 available from the savings on account of the provincialization of the municipal hospital has also to be utilized towards the cost of the scheme.
- (e) The council has agreed to levy the water and drainage tax at $5\frac{1}{2}$ per cent per annum.
- (f) The question does not arise.
- (g) The council is levying property tax at the rate of $7\frac{1}{2}$ per cent for general purposes.
- (h) The Government do not consider it necessary to make any enquiry in the matter.

Mr. T. ADINARAYANA CHETTIYAR :—“ May I ask the hon. Minister for Public Health whether Tiruvannamalai is not one of the pilgrim centres, and whether that is not a special case for favourable consideration ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ There are a large number of pilgrim centres and if all such centres are to be given special consideration it would be difficult.”

Mr. T. ADINARAYANA CHETTIYAR :—“ May I ask whether the incidence of taxation proposed is not very big for a small place like Tiruvannamalai ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ The municipal council has decided upon fixing that and I am not sure whether I will be entitled to go into the question.”

Mr. T. ADINARAYANA CHETTIYAR :—“ May I ask with regard to the answer to clause (a), what action has been taken on the mahazars ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ We thought it was not necessary to take any action on the mahazars.”

Water-supply scheme for Rajahmundry.

* 1194 Q.—Mr. K. V. R SWAMI: Will the hon. the Minister for Public Health be pleased to state—

(a) how long the water and drainage tax has been levied by the Municipal Council, Rajahmundry;

(b) what the total amount now available for use under the above head is;

(c) when the work will actually commence;

(d) whether provision will be made in the next year's budget for the grant to be made to the municipal council for the above purpose;

(e) whether the plans and estimates have been completed;

(f) if not, for how long they have been under preparation; and

(g) the reasons for such delay?

[30th January 1929]

- A.—(a) The council first levied the tax for three years from 1915–16 to 1917–18. It discontinued the levy of tax afterwards but has reimposed it from 1st April 1926.
- (b) On 1st April 1928 the council had Rs. 1,46,312-8-6 under investments and Rs. 51,751-14-9 in cash. The council expects also to realize Rs. 55,000 from water-tax and Rs. 5,500 from interest on investments in the current year.
- (c) In 1929–30.
- (d) Yes.
- (e) Yes.
- (f) The question does not arise.
- (g) The question does not arise.

Mr. K. V. R. SWAMI :—“ May I know what is the amount that would be provided for in the next year ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Two lakhs of grant and half-a-lakh for loan.”

Compensation for failure of crops to ryots under the Red Hills Lake.

* 1195 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether the hon. the Minister for Public Health attended a conference of the ryots in the neighbourhood of the Red Hills lake and received an address ;

(b) whether he (the hon. the Minister) promised the assembled ryots compensation for failure of crops due to insufficient supply of water ;

(c) whether he made this promise as a representative of the Government ; and

(d) if so, when the Government decided to give compensation ?

A.—(a) There was no conference ; an address was presented by the Red Hills Ryots' Association.

(b) No.

(c) & (d) Do not arise.

Dr. B. S. MALLAYYA :—“ May I know from the hon. the Minister for Public Health whether after the receipt of the address from Red Hills Ryots' Association he said in reply that he sympathised with the sufferings of those ryots and also promised compensation either from the Corporation or from the Government ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I am afraid the hon. Member has not exactly understood what I said. I did sympathise with them and said that if for three crops they have suffered on account of insufficient supply of water and this year also water is not given to them, they would be entitled to compensation and that I would do what I can in the matter.”

Dr. B. S. MALLAYYA :—“ Was it done with the consent of the Government ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Absolutely, there was no necessity to consult. In my own capacity I said they would be entitled to compensation.”

30th January 1929]

Mr. S. SATYAMURTI :—"Is this one of the portfolios which are being administered by the hon. the Minister for Public Health?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"This is not my portfolio. I said that not in my capacity as Minister but in my individual capacity."

Mr. S. SATYAMURTI :—"May I ask whether the address was presented to the Minister as Minister or as Mr. S. Muthiah Mudaliyar, M.L.C., Tanjore district?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"It was addressed to Mr. S. Muthiah Mudaliyar, who was also Minister."

Mr. S. SATYAMURTI :—"May I know whether he answered as Mr. S. Muthiah Mudaliyar, M.L.C., or as a Minister of His Excellency's Government?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I did not preface my speech by saying 'S. Muthiah Mudaliyar' or 'Minister'."

Fisheries

Memorial regarding the opening of a separate Fisheries Training Institute at Mangalore.

* 1196 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(a) whether a memorial was presented last year by the fishermen of South Kanara asking for a separate Fisheries Training Institute at Mangalore;

(b) whether the Director of Fisheries has proposed the establishment of a Technological school in South Kanara for providing training to fishermen youths and adults in special branches of the fishing industry; and

(c) whether the Government have considered the above memorial and proposal and have arrived at any decision regarding the matter?

A.—(a) A representation was received from a deputation of the fishermen community in 1927 asking for the opening of a Fisheries Technical school at Mangalore.

(b) Proposals have been made by the Director of Fisheries for the establishment of such an Institute at Mangalore for the training of teachers required to staff the fishermen elementary schools in South Kanara district.

(c) The Government are awaiting the report of the Madras Fisheries Committee.

Mr. A. B. SHETTY :—"With reference to the answer to clause (c), may I know whether the committee proposes to take any evidence in South Kanara in regard to this matter?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"It is left to the committee."

[30th January 1929]

Public Works

Construction of a bridge over the Rushikulya river.

* 1197 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Development be pleased to state—

(a) whether there is any proposal for constructing a bridge on the river Rushikulya at Ganjam in the Ganjam district;

(b) the estimated expenditure on the said bridge as also the estimated expenditure on iron beams and all other iron articles required for the same;

(c) whether the Government have called for tenders from contractors for the said bridge;

(d) if so, how and in what papers such notices were published;

(e) whether the bridge has been given on contract; and

(f) if so, to whom, when and why?

A.—(a) Yes.

(c) No.

(d) Does not arise.

(b), (e) & (f) An approximate estimate amounting to Rs. 8.77 lakhs was approved by Government in January 1928. Subsequently, Messrs. Braithwaite & Co., who reported that they were about to secure a contract for the reconstruction of the Bengal-Nagpur Railway bridge alongside of the proposed road bridge offered to construct the latter at a cost of 7 lakhs within one year using the old girders of the Railway bridge. This proposal was approved. The Chief Engineer has however recently reported after personal inspection that portions of the old steel work have to be replaced, that changes are necessary in the foundations, that the width of the roadway should be increased from 14 to 18 feet and that the plans and estimates will require revision. These matters are now under the consideration of the Chief Engineer and pending their settlement a formal agreement with the firm has not yet been entered into. The Government have no information as to the cost of the iron articles required for the proposed bridge separately.

Sriman BISWANATH DAS Mahasayo :—“ In reply to my question, clauses (b), (e) & (f), it is stated that an approximate estimate amounting to Rs. 8.77 lakhs was approved by Government in January 1928 and subsequently the contract was given to Messrs. Braithwaite & Co. at a cost of Rs. 7 lakhs. May I know whether a proper estimate of the same was made and who prepared the estimate ? ”

The hon. Mr. M. R. SRIURATNAM AYYAR :—“ Proper estimates were made by Government and the company have agreed to do it at a lesser cost.”

Sriman BISWANATH DAS Mahasayo :—“ May I know the meaning of ‘ approximate ’ estimate ? ”

30th January 1929]

The hon. Mr. M. R. SETURATNAM AYYAR :—“The estimates may have to be revised after budget sanction. An approximate estimate of Rs. 8·77 lakhs was agreed to.”

Sriman BISWANATH DAS Mahasayo :—“May I know whether tenders were called for and, if not, why not?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“That has been stated in the answer. In view of the urgency of the matter and in view of the lesser cost in the offer of the Braithwaite Company, it was not thought necessary to call for tenders.”

Sriman BISWANATH DAS Mahasayo :—“May I know whether Government are aware of the fact that materials that are proposed to be used in this bridge are only rotten ones?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“It is contained in the answer that the matter is going to be examined.”

Mr. K. R. KARANT :—“May I know whether this bridge is not a fishy matter?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“I do not know what the fishy matter is.”

Sriman BISWANATH DAS Mahasayo :—“May I know whether Government have already entered into a formal agreement with the said company and, that the company is going on with the work?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“They have entered into a contract previously but if they find it unsatisfactory they may consider it again.”

Sriman BISWANATH DAS Mahasayo :—“May I know whether the Government would take this Council into their confidence before they again enter into a formal agreement and get the matter examined by competent authorities?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“This is purely an administrative matter and I do not think the Legislative Council can do anything regarding the estimates. So far as Government are concerned, they are perfectly willing to consider the thing deeply, before they decide about the matter. A report has been called for from the Chief Engineer and the details are being enquired into.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“May I know whether the matter will be placed before the House when it is done?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“The work has not yet begun.”

Sriman BISWANATH DAS Mahasayo :—“May I request the Government whether they would think of stopping the work and make a full enquiry into the usefulness or the utility of the materials available before they enter into an agreement in regard to the scheme and whether they would not think of calling for contractors in the district?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“As I already said, the work has not yet begun.”

The hon. the PRESIDENT :—“It being 12 o'clock, the House will pass on to the next item in the agenda.”

[30th January 1929]

III

MOTION REGARDING THE APPOINTMENT OF A COMMITTEE TO
ENQUIRE INTO THE ECONOMIC CONDITION OF THE DISTRICTS
OF KISTNA, GODAVARI EAST AND GODAVARI WEST.

The hon. Sir NORMAN MARJORIBANKS:—Mr. President, Sir, I move:—

12
noon

'That with reference to the resolution passed by the Council at the meeting held on 28th November 1928, regarding the appointment of a committee to enquire into the economic condition of the districts of Kistna, Godavari East and Godavari West, the Council do proceed to elect a committee of five of its members to make the enquiry and to report to Government by the 1st October 1929.'

"In moving this proposition, Sir, I desire to explain briefly the position of the Government in this matter. The settlement rules provide for the collection of certain information regarding economic condition. The Settlement officer and his assistants have compiled from public records and from examination of registered deeds and from village enquiries a considerable amount of information which the Settlement officer has reviewed and upon which he has stated his conclusions in his report. In accordance with the established practice, that report had been placed on the table of this House and published for criticism not only of the Members of this House but of all those interested in the matter outside. Without going again over the ground which was covered at the previous debate, I think I may say that it was quite clear that the House wanted that opportunity should be given for a further and closer examination of the matter by those who are chiefly interested in it. It is to give this opportunity that this motion has been tabled. All the materials which the Settlement officer has collected will be forwarded to the elected committee and, if they desire further or other information from the records of the Government, arrangements will be made to supply it if it can possibly be done. Government officials would be authorized to give the Committee all practicable assistance. They will, of course, be at liberty to make further enquiries themselves and collect any data they wish. Subject to the vote of the Council, the necessary expenses will be paid. Lastly, I may say that the Government will keep an open mind on the subject and give their best consideration to the report the Committee may make before coming to any decision as to the alteration of the present rates of assessment."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I beg to second the motion."

Mr. G. HARISARVOTTAMA RAO:—"Sir, I beg to move a formal amendment which is as follows:—

After the words "to elect" insert the words 'in accordance with the regulations made by the hon. the President under Standing Order No. 77 for the holding of elections by means of the single transferable vote'."

Mr. K. MADHAVAN NAYAR:—"I second it."

The hon. Sir NORMAN MARJORIBANKS:—"I have no objection whatsoever, Sir, to that amendment."

The amendment was put to the vote and carried.

Mr. K. V. R. SWAMI:—"I move, Sir, that in line 5 for the word 'five' the word 'seven' be substituted."

30th January 1929]

Mr. P. ANJANEYULU :—"I second it."

* The hon. Sir NORMAN MAJORIBANKS :—"The more members there are, Sir, the more difficulty in enquiring and reporting; and the expense will also be more. But it is a matter for the House to consider."

* Mr. A. RANGANATHA MUDALIYAR :—"Personally I think, Sir, that the number need not be increased at all. If work has to be done expeditiously and well, I think the number must be as limited as possible consisting of people who are competent and able to carry on the work. I do not think anything would be gained by increasing the number and it is unnecessary."

Mr. S. SATYAMURTI :—"It is somewhat surprising, Sir, that when the hon. the Leader of the House has got no objection to the increase suggested, my hon. Friend the ex-Minister has felt the responsibility so heavy on his shoulders that he should come forward to protest against the increased cost and increased difficulty."

Mr. A. RANGANATHA MUDALIYAR :—"I did not say anything about the cost, Sir. He is imputing to me words which I did not express."

Mr. S. SATYAMURTI :—"He spoke of increased difficulties. I have some experience of such work, and it seems to me that in a complicated and difficult matter of this kind where the interests of the ryots of three districts are concerned there should be real and adequate representation of at least these three districts. If the amendment of my hon. Friend is carried, the representatives who will be elected will be sufficiently representative of every section of opinion in this House. I would therefore appeal to my friend, Mr. Ranganatha Mudaliyar, not to press the objection against the increase proposed. I would ask the House in all humility to accept the very small increase in the number of members of this Committee."

Mr. C. RAMASOMAYAJULU :—"Sir, in supporting the amendment that has been moved, may I point out to my hon. Friend, Mr. Ranganatha Mudaliyar, that it is not possible to get adequate representation on the Committee of the districts really intended to be represented, unless the number is at least seven. It is a very serious and complicated question which affects three districts, and naturally the number five will not be sufficient to include the representatives of all the three districts. Therefore I do not think it stands to reason to oppose this amendment."

The amendment was put to the vote and declared lost. Mr. S. Satyamurti demanded a poll, which was accordingly taken with the following result :

Ayes.

- | | |
|--------------------------------------|------------------------------------|
| 1. Mr. Alladi Krishnaswami Ayyar. | 14. Mr. V. Ramjee Rao. |
| 2. " Munsifi Abdul Wahab Sahib. | 15. " Sami Venkatachalam Chetti. |
| 3. " J. Bheemayya. | 16. " S. Satyamurti. |
| 4. " P. J. Gnanavaram Pillai. | 17. " T. Adinarayana Chettyiar. |
| 5. " T. M. Narayanaswami Pillai. | 18. " P. Anjaneyulu. |
| 6. " I. C. Guruswami. | 19. " P. C. Venkatapati Raju. |
| 7. " W. P. A. Soundara Pandya Nadar. | 20. " J. A. Saldanha. |
| 8. " Daniel Thomas. | 21. " Abdul Hamid Khan Sahib. |
| 9. " S. Venkayya. | 22. " G. S. Govindaraja Mudaliyar. |
| 10. " K. Abdul Hye Sahib. | 23. " G. Harisarvottama Rao. |
| 11. " K. Ramachandra Padayachi. | 24. " C. N. Muthuranga Mudaliyar. |
| 12. " U. Ramaswami Ayyar. | 25. " K. V. R. Swami. |
| 13. " G. R. Premayya. | 26. " D. Narayana Raju. |

[30th January 1929]

Ayes—cont.

27. Mr. K. Uppi Sahib.
28. " K. R. Karant.
29. " C. Obi Reddi.
30. " A. Parasurama Rao.
31. " C. Ramasomayajulu.
32. " Basheer Ahmad Sayeed.
33. " P. Bhaktavatsula Nayudu.
34. Sriman Biswanath Das Mahasayo.
35. Mr. A. Kaleswara Rao.
36. " R. Srinivasa Ayyangar.
37. " K. Koti Reddi.
38. " L. K. Tulasiram.
39. " K. V. Krishnaswami Nayakar.
40. " K. Madhavan Nayar.
41. " B. Venkataratnam.

42. Mr. Chavadi K. Subrahmanya Pillai.
43. " K. R. Venkatarama Ayyar.
44. " C. Gopala Menon.
45. " B. Ramachandra Reddi.
46. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
47. " Sir A. P. Patro.
48. Diwan Bahadur P. C. Ethirajulu Nayudu.
49. Mr. T. K. Chidambaranatha Mudaliyar.
50. " Muhammad Khadir Mohidin Sahib.
51. Diwan Bahadur S. Kumaraswami Reddiyar.
52. Khan Sahib T. M. Moidoo Sahib.
53. Rao Bahadur B. Munuswami Nayudu.
54. Mr. A. V. Bhanoji Rao.

Noes.

1. Mr. Mahmud Schammad Sahib.
2. " N. Siva Raj.

3. Rao Sahib R. Srinivasan.

Ayes 54. Noes 3.

The amendment was carried.

* The hon. the PRESIDENT :—" The amended motion is for the consideration of the House."

* Sriman BISWANATH DAS Mahasayo :—" Sir, I for myself would request the hon. the Leader of the House to give us some idea of the gentleman who is going to be the chairman of this committee. We on our side would request him to allow a non-official member as chairman or at least to allow the members of this committee to elect their own chairman. I expected to get some idea as to the procedure to be adopted by this committee, because there is already a report and we desire that a thorough investigation should be instituted and the necessary evidence both documentary and oral let in so that the ryots on their side may have no cause of complaint afterwards. Under these circumstances I would appeal to the Government first to consider and decide the necessity of having a non-official chairman, that is, a chairman to be elected by the members of this committee and secondly of giving all the necessary scope to the members of this committee to have access to papers both confidential or otherwise and to record the evidence without hindering any evidence that may be useful for the consideration either of the Government or of the members of the committee. It is also my submission that the officer who first investigated and reported should be put on the committee."

Mr. A. KALESWARA RAO :—" I should like also to know from the hon. the Leader of the House whether, in addition to the seven members to be elected, the Government proposes to make any nominations and if so, of officials or non-officials, so that we may know exactly what the committee will be, what its composition will be and what its procedure will be."

* Mr. J. A. SALDANHA :—" Mr. President, Sir, this is a very important departure from the policy of the Government and while congratulating the Government and expressing the gratitude of the Council that the Government are taking into their confidence the representatives of the people as

30th January 1929] [Mr. J. A. SALDANHA]

regards the incidence of taxation and the increase, I may point out that it will be better for the Government and this Council to lay down certain principles on which these bodies should be elected. To some extent it will be a judicial body to decide certain very important points. As far as possible the members of these bodies should not belong to the districts about which they are asked to enquire and report."

* The hon. the PRESIDENT:—"Is the hon. Member proposing any amendment as to the description or class of members or method of election?"

Mr. J. A. SALDANHA:—"I want that principle to be laid down by this Council. I am not going to bring in any amendment. I am only suggesting a course of action."

* The hon. the PRESIDENT:—"My difficulty is this. If I understand the hon. Member correctly, he wants to appeal to the Members of this House as to the class of persons who are to be on the Committee and who are to be excluded from the Committee. If that be the object, this is not the proper occasion to discuss the matter unless the hon. Member gives an amendment. Here the course prescribed is that the election should take place by means of the single transferable vote according to the rules framed under Standing Order No. 77. That Standing Order does not contain any such restrictions. And therefore if really the hon. Member wants to discuss that aspect of the question, I think he will do well to give notice of a motion or amendment to that effect."

Mr. J. A. SALDANHA:—"I have no time to frame an amendment embodying my ideas." 12-15 p.m.

The hon. the PRESIDENT:—"I take it the House is now ready for a vote."

The hon. Sir NORMAN MARJORIBANKS:—"Sir, there is only one point on which I wish to say something. The Government do not propose to nominate any official members to the Committee as they wish to avoid even the appearance of influencing the Committee in any way."

* The hon. the PRESIDENT:—"I now put the motion as amended to the vote of the House, namely,—

'That with reference to the resolution passed by the Council at the meeting held on 28th November 1928 regarding the appointment of a committee to enquire into the economic condition of the districts of Kistna, Godavari East and Godavari West, the Council do proceed to elect, in accordance with the regulations made by the hon. the President under Standing Order No. 77 for the holding of elections by means of the single transferable vote, a committee of seven of its members to make the enquiry and to report to Government by the 1st October 1929.'

The motion was put and carried.

* The hon. the PRESIDENT:—"With reference to the motion of the hon. the Revenue Member just now adopted by the Council, I fix 5 p.m. to-day as the time within which notices of nominations should be given to the Secretary."

[30th January 1929]

IV

DEMANDS FOR SUPPLEMENTARY GRANTS.

GRANT XVI—PUBLIC HEALTH AND VITAL STATISTICS—TRANSFERRED.

The hon. Mr. S. MUTHIAH MUDALIYAR :—"On the recommendation of His Excellency the Governor, I move

'that the Government be granted a further sum not exceeding Rs. 6,000 under Grant XXI—Public Health and Vital Statistics—Transferred to provide for a contribution towards the cost of investigation of maternal disease.'

"Sir, a note, explaining the purpose for which this grant is required has already been circulated to the members and I think it is unnecessary to repeat what is said therein. Hon. Members will agree that this investigation will be of very valuable assistance to the province and I move that the demand be granted."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I rise to oppose this grant, not because I do not believe in the value of research work in matters especially of maternal disease, but because I consider that this is a very ineffective way of doing that research work. The note circulated to us does not even suggest any possible benefit in any direction to this Presidency. It is all very well to have great regard for high personages—I have my own regard for very high personages—but it is another matter to answer the call of every high personage for the mere reason that such high personages in their heart of hearts mean well by us. We are called upon to contribute to research work that is to go on all through the country. Research work somewhere in a corner by one person will not be enough in this matter. Every presidency has to make its own arrangements for such research. There are local conditions which differ very materially in this country and the research work also will have to take different lines. I am sure that the medical science is not immutable, is not unchangeable; it is empirical, and rests upon local experience. Local circumstances have a great influence in determining the remedies to be sought. Therefore it is very difficult for men like me to understand why this grant should be made for some work somewhere. We are called upon to vote Rs. 6,000; and funds for this research work are supposed to come from the Indian Research Fund Association and the various provinces in India. The amount estimated for this is Rs. 38,000. Out of that, Rs. 6,000 has been assigned to us. I do not know how these figures were arrived at. There are a large number of provinces in this country and what their share or that of the Indian Research Fund Association would be we do not know. Why this Rs. 6,000 has been put on the Madras Presidency I cannot divine. It must be because this is a very docile presidency and we are prepared to grant the request of high personages like Lady Irwin. Her Excellency may be actuated by very noble motives, but to grant out of the tax-payers' money more than a proportionate share that may fall to us if properly accounted, is not the proper way of doing things. Therefore, I feel that in addition to the ineffectiveness of this kind of research for purposes of this Presidency or for the matter of that, for purposes of India, I feel there is an injustice involved in the financial arrangement. I have therefore thought it necessary to oppose this motion."

30th January 1929]

* Dr. (Mrs) S. MUTHULAKSHMI REDDI:—"Mr. President, Sir, I have great pleasure in supporting the motion of the hon. the Minister for Public Health. I feel there is great necessity for this kind of investigation, especially when India records such a high maternal and infantile mortality. I am glad and I am really thankful to Lady Irwin for having taken the initiative in the matter, because Dr. Balfour, an experienced medical lady, when she was here last time, took the trouble of addressing a ladies' meeting when she spoke about the necessity for research work in India. She told us she had been to London to attend the International Conference of Medical Women, and the medical women from other countries gave a very full account of the causation of maternal disease while she, as a representative from India, could not give, and she also alluded to the fact that there is no woman medical officer in the Public Health Department in any of the provinces in India. She said she felt very sorry about it and as soon as she returned from the Conference, undertook this work as a labour of love, and as the result of her investigation she has given us very useful information as to the causation of maternal disease. If the hon. Member had gone through the publications of the *Indian Medical Gazette*, surely he would not have made these remarks. She has furnished us very useful information on this subject. She has been visiting every province and she also issued a questionnaire to all Indian and British hospitals in India. She has found that certain diseases are peculiar to India, that certain diseases are common to all countries and that in India there are diseases peculiar to tropical climates, such as malarial, anæmia, and hookworm. Again, she has found that certain communities like the Brahman community recorded very high maternity mortality, as high as 32 out of every 1,000 mothers. The educationally advanced Christian and Parsi communities record a very low death-rate. This is certainly a very useful information.

"Now, diseases like hookworm and malaria assume very virulent forms in pregnant women and children. We have also fetal diseases like the tropical cirrhosis of the liver. In this connexion I will take the opportunity of thanking all the Vicereines, who have helped the cause of women's medical relief. First the Lady Dufferin Fund was started and now we have got a large number of medical women trained through the help of that fund. Then was started the Lady Hardinge Hospital. Even though it is located at Delhi students are flocking to that place from all parts of India. I had the pleasure of visiting that college and I found that even though there was accommodation only for 90, they had to admit 120. I also visited Lady Reading's Health School. We badly need a health school at Madras. Every province has got one; Bengal has got it, Central Provinces has got one, Bombay has got one. But still the Delhi school is doing very good work and attracting students from South India. There is also the Lady Chelmsford Maternity League which I visited. So I hope this work begun by Lady Irwin will bear much fruit and benefit all India. A sum of Rs. 6,000 is after all small and it is the duty of every community to take care of the mothers who are the originators of the race, and such an expenditure must be the first charge on the finance of every province. With these few words, I support the motion."

* Mr. J. A. SALDANHA:—"Sir, I have personally no knowledge of maternal disease. But I ask what are the real causes of the diseases of women in this country. Anæmia is said to be one. By what causes is it brought about? It is brought about by the poverty of the people. As President of

[Mr. J. A. Saldanha]

[30th January 1929]

the Health and Welfare Association I have made some enquiries, and I have ascertained that the real causes of the disease of women is poverty and insanitation, child marriage and want of hospitals and want of agency for looking after them. Now instead of trying to remove these causes, what is the use of research into particular incidence of maternal diseases in this country? Most of the diseases of women in India are common to women all over the world. Here in India, the real causes cannot be cured by special research work. Let Government first of all spend more money on hospitals and on agencies like health and welfare centres. That will be much better than spending money on this research work going on somewhere, and in a manner which may or may not be very satisfactory. The result of this grant will be that some people will get some jobs. Are they going to appoint any lady doctors of India to do the necessary research?

12-30 P.M. "What I suspect is that this grant is intended for making provision for a job for an European gentleman. Have we not got men in India with sufficient experience and sufficient education to be appointed for this post? I am not raising any racial question or anything of that kind. I am asking for bare justice being done to Indians. Besides, as usual, we are given only meagre information with reference to this grant. We have been given only the outline of a scheme without any necessary information. On these grounds I oppose this motion."

* Mr. A. B. SHETTY :—"Mr. President, Sir, I have not been able to understand why my hon. Friend, Mr. Saldanha, does not believe in the utility of research in connexion with maternal disease in our country. The progress of all medical science is mainly due to research work. Our ancient system of medicine is at a standstill because no research work is being done and nothing new is being discovered. Hon. Friends on the opposite benches are inclined to attribute the high rate of maternal mortality in our country to the poverty and ignorance prevailing here. These twin curses have been with us for a long time and we cannot afford to sit with folded hands till they are removed. Year after year the report of the Public Health administration in our province has been drawing pointed attention to the very large number of maternal deaths taking place here. According to the latest report 30,000 mothers die each year from preventable causes connected with pregnancy and child-birth. The maternal mortality rate in our presidency is as high as 20 per 1,000 births. In England they have by means of various measures reduced the maternal death-rate to 4.5 per 1,000 births. Yet they are not satisfied with the results achieved and they are said to have appointed a special committee to make further research into the matter."

"The infantile death-rate also is high in our province. It is 175 per 1,000 births. The solution of the problem of child welfare also lies to a great extent in promoting the health and welfare of mothers. I trust, therefore, that this House will unanimously support this demand."

* Mr. K. V. R. SWAMI :—"It appears to me that we are asked to support this motion probably owing to two causes. The one is that the appeal comes from Lady Irwin, and the other is that it is supported by our Deputy President. Apart from that I do not think there is much usefulness in making research work. What we are suffering from is not want of research work, but want of means to make those methods already known to the world to the people concerned. It is no doubt true that the rate of mortality is

30th January 1929]

[Mr. K. V. R. Swami]

very high in this Presidency. My hon. Friend, Mr. Shetty, is comparing the rate of mortality in England with that in this country. It is not because that there is no research work that the rate of mortality is very high here but the chief reason is that we have not got enough of hospitals and enough means to spread the knowledge that is available to the people concerned. The amount wanted is already Rs. 38,000. By and by they may require more. In these matters we should not compare the conditions prevailing in other countries with those in our country. We are not even able to provide midwives to attend to all maternity cases. So many illiterate women who do not know anything in maternity science are attending to cases in this very province. When a question was raised in this House more than once the usual reply given to us was 'There is no sufficient money, we are doing it gradually and slowly as moneys are available.' That was the reply given to us. It may be to a certain extent true that we have not got sufficient funds. It is all the more necessary therefore that we must utilize the small sums that are available most carefully and usefully and economize our wasteful expenditure. As soon as some new idea strikes us we should not think that we are just living in England, America, or Australia where conditions are very different from ours. It will be surprising to the outside world to know that India cannot provide even midwives to attend to maternity cases, and it is extraordinary that we should think of research work instead of spending the moneys in useful directions. My impression is that medical men who are said to be noted for their special ability in Western Medical Science are doing some work in this direction, but from the speech of the hon. the Deputy President, who is a competent authority to speak on matters of this kind, it appears that medical people are not taking sufficient interest in this matter. Sir, these are the reasons on account of which we oppose this motion."

* Mr. S. ARPUDASWAMI UDAYAR :—"Sir, I support this motion. Hon. Members who have objected to it have said that means should be found for reducing poverty and finally for multiplying hospitals. I think this research work will facilitate the reduction in the death rate. We were told by my hon. Friend from South Kanara that mortality is very high in this Presidency. I must point out that mortality is certainly large among the middle class families and richer families than in poorer families. Therefore this research work will not only relieve the poorer classes but also the higher classes. With regard to the question of lack of hospitals, research work will certainly result in the starting of more maternity hospitals. Therefore the very grounds on which my hon. Friends have objected to the passing of this grant are, on the contrary, very good reasons for insisting upon the kind of research work that is contemplated upon. My friend the hon. Member from Godavari spoke of the results of research work carried on in other countries. Surely, those people who will be entrusted with this task of research will take into consideration all those results arrived at in other parts of the world and will proceed with their work in such a way as to benefit the people of this country. With regard to the nature of this research work and especially the point raised by my hon. Friend that it is not right that you should ask these doctors, who already have no time to attend to their regular work, to do research work, what we require is that some specialists should be deputed for this work untrammelled and unhampered by ordinary duties such as attending

[Mr. S. Arpudaswami Udayar] [30th January 1929]

to their work in hospitals, etc. For all these reasons I think I would do well to support the motion before the House."

Mr. SYED TAJUDDIN SAHIB :—"The consensus of medical opinion strongly endorses the view that some research work ought to be done in finding out the causes for the special diseases which are responsible for the high percentage of mortality especially in this Presidency. Instead of allowing the diseases to grow and then find out the ways and means to cure them, I think we should prevent the growth of the disease. If we are to find out exactly what are the special reasons that contribute to this high rate of mortality, then it will not only minimize the mortality but also minimize the enormous amount we are spending in this direction. Therefore I must very strongly support this motion."

The demand was put to the House and carried and the grant was made.

GRANT XXIV—CO-OPERATIVE SOCIETIES—TRANSFERRED.

The hon. Mr. M. R. SETURATNAM AYYAR :—"On the recommendation of His Excellency the Governor, I beg to move that—

'the Government be granted a further sum not exceeding Rs. 2,700 under Grant XXIV—Co-operative Societies—Transferred to provide for the grant of subsidy to the Madras Provincial Co-operative Union and the District Federations of Vellore and Coimbatore.'

"Sir, the necessity for the grant has been explained in the explanatory note supplied to hon. Members. The Finance Committee has recommended the amount and I trust the House will sanction the same."

The demand was put to the House and carried and the grant was made.

GRANT XXIX—CIVIL WORKS—GRANTS-IN-AID—TRANSFERRED.

The hon. Dr. P. SUBBARAYAN :—"On the recommendation of His Excellency the Governor, I beg to move that—

'the Government be granted a further sum not exceeding Rs. 85,000 under Grant XXIX—Civil Works—Grants-in-aid—Transferred.'

"Sir, these are meant for subsidies to the Vizagapatam District Board and East and West Godavari District Boards for putting in order the roads that have been damaged by recent floods. The total amount of such subsidies will be Rs. 4.71 lakhs. This amount of Rs. 85,000 has to be paid in this financial year and the rest of the amount will be provided in the Budget for 1929-30. I may inform the House that the proportion in which these grants have to be distributed are given in the explanatory note as follows :—

	RS.		RS.
Vizagapatam District Board.	32,500	{ Trunk roads ...	21,000
		{ Second-class roads ...	8,000
		{ Other roads ...	3,500
East Godavari District Board.	16,000	{ Trunk roads ...	6,000
		{ Second-class roads ...	10,000
West Godavari District Board.	36,500	{ Trunk roads ...	18,000
		{ Second-class roads ...	18,500

30th January 1929]

[Dr. P. Subbarayan]

"I may inform the House that the same proportion that is being observed in the subsidies that are being given will be observed in the case of subsidies to be given hereafter."

MR. C. RAMASOMAYAJULU :—"Sir, I do not want to oppose the grant of Rs. 85,000 ; but I want to express my sense of the inadequacy of the grant especially to the East Godavari district. Apparently the hon. the Minister

12-45 p.m.

The hon. DR. P. SUBBARAYAN :—"Sir, the hon. Member may not continue his speech if I tell him that the amount allotted in the grant is exactly the same as the President of the East Godavari District Board had telegraphed for and said he could spend this year. For next year we are making separate provision in the Budget."

MR. C. RAMASOMAYAJULU :—"I have no objection, Sir."

The demand was put to the House and carried and the grant was made.

V

A BILL FURTHER TO AMEND THE MADRAS CIVIL COURTS ACT, 1873.

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, I introduce a Bill * further to amend the Madras Civil Courts Act, 1873, and move that the Bill be taken into consideration at once."

The hon. MR. S. MUTHIAH MUDALIYAR :—"I second it."

* Rao Bahadur Sir A. P. PATRO :—"Sir, I have to oppose the motion for taking into consideration at once this Bill. It is a very important measure and it is highly desirable that the several aspects of it should be considered in the Select Committee. I move that the consideration of this Bill be postponed."

MR. T. K. CHIDAMBARANATHA MUDALIYAR :—"I second it."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I thought it was a simple matter, a mere technical Bill ; but since my hon. Friend objects to it, I have no objection to withdraw the motion and come forward with a motion later on for consideration of the Bill in a Select Committee."

The motion was by leave of the House withdrawn.

VI

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

The hon. DR. P. SUBBARAYAN :—"I move that the Bill to amend the Madras University Act be passed into law."

The hon. MR. S. MUTHIAH MUDALIYAR :—"I second it."

The hon. DR. P. SUBBARAYAN :—"Sir, the passing of this Bill into law was deferred last time in order to see whether any amendments were necessary to put the Bill into proper shape. I have accordingly given notice of several amendments which have been in the hands of hon. Members. Most of them are of a formal nature and I move them in the order given in the agenda.

Clause 1.

"I move that for the figures '1928' in line 2 the figures '1929' be substituted."

* Published in the *Port St. George Gazette* on 4th December 1928 as Bill No. 18.

[30th January 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put to the House and carried.

Clause 2.

Sub-clause (ii)

The hon. Dr. P. SUBBARAYAN :—" I move the following amendment :—

' In line 4 for the words ' *Madras University* ' substitute the words ' *University of Madras.* '

In line 7 omit the figures and word ' VIII of ' and insert the words and figures ' Act VIII of 1904 ' in the margin."

* The hon. the PRESIDENT :—" I do not think it is necessary. The Council does not make amendments to the marginal notes."

The hon. Dr. P. SUBBARAYAN :—" I agree to omit it, Sir. I move the next amendment also."

' In lines 7 and 8, for the words " *excluding such limits as have been or may be taken away* " substitute the words " *excluding such areas as may be taken away* "."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendments were put to the House and carried.

The hon. Dr. P. SUBBARAYAN :—" Sir, I next move the following amendment :—

" *Re-number sub-clauses (vi) and (vii) as (vii) and (viii) respectively and insert the following as sub-clause (vi), namely :—*

" *(vi) in clause (g), for the words ' constituent college or of an affiliated college ' the words ' constituent, affiliated or oriental college ' shall be substituted "*

" Sir, a difficulty may arise whether the definition of ' Teachers ' in clause 2 (j) and subsequent clauses will apply to oriental colleges. This difficulty may be overcome by inserting the words ' oriental colleges ' in the several clauses applicable to such colleges."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put to the House and carried.

Sub-clause (vii) as re-numbered.

The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

That in sub-clause (vii) as so re-numbered, in line 5, for the words " or affiliated colleges ", the words " affiliated or oriental colleges " be substituted.

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put to the House and carried.

Clause 4.

The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

That in new section 4-A, sub-clause (2), for the words " and maintain " the words " mantam and manage " be substituted."

" This amendment seeks to bring this sub-clause into line with other clauses."

30th January 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it"

The amendment was put to the vote and carried.

* The hon. the PRESIDENT:—"I think it will be convenient if the Opposition mentions to me to which clauses they desire to give their serious consideration."

Mr. K. R. KARANT:—"I think it is better that the whole Bill goes before the Select Committee once more; there are so many amendments."

Mr. G. HARISARVOTTAMA RAO:—"There is an extraordinary list of amendments."

* The hon. the PRESIDENT:—"Yes, eleven printed pages of amendments for the third reading of the Bill."

The following amendments were then put to the House one after another, and carried:—

Amendments.

Sub-clause (3).

For the words 'and affiliated colleges', substitute the words 'affiliated and oriental colleges'.

Sub-clause (5).

After the word 'degrees,' insert the words 'titles, diplomas and other academic distinctions'.

Sub-clause (6).

In line 1, after the word 'degrees', insert the words 'titles, diplomas, and

In line 4, for the words 'or in an affiliated college', substitute the words 'affiliated or oriental college'.

Sub-clause (8).

For sub-clause (8), substitute the following sub-clause:—

"(8) (a) to institute, maintain and manage constituent colleges, to recognize colleges not maintained by the University as constituent colleges, to allow colleges recognized by the University before the passing of this Act to continue to exercise the rights and privileges conferred on them by such recognition and any further rights conferred by or under this Act and to withdraw recognition from colleges;

(b) to approve institutions as oriental colleges, to allow institutions approved by the University before the passing of this Act to continue to exercise the rights and privileges conferred on them by such approval and any further rights conferred by or under this Act until such time as they may be transferred to other universities and to withdraw approval from institutions."

[30th January 1929]

Clause 5.

For sub-clause (i), substitute the following sub-clause, namely:—

“(i) for the words ‘creed or class’, the words ‘creed, class, or political views’ shall be substituted, and”.

Clause 7.

In lines 2 and 3, for the words ‘maintained or recognized’, substitute the words ‘maintained, recognized or approved’.

Clause 8.

Item (5).

In line 1, for the word ‘officers,’ substitute the word ‘persons’.

Clause 11.

Sub-clause (i).

In line 4, for the words ‘by Statutes’, substitute the words ‘by the statutes’.

Clause 13.

Sub-clause (1).

In the last line, for the word ‘Statutes’, substitute the words ‘the Statutes’.

Sub-clause (2).

* The hon. Dr. P. SUBBARAYAN:—

“In line 2, omit the words ‘by statutes’.”

Mr. S. SATYAMURTI:—“Sir, I find that the amendment is to omit the words ‘by statutes’. That will leave the words ‘as may be prescribed’ meaning thereby either by statutes or regulations or ordinances. No doubt this cannot be prescribed by regulations, because this is an academic matter. It may be prescribed by ordinances I object to that course. Ordinances are made by the Syndicate in the first instance, although the Senate has got the reserve power to repeal or amend such ordinances. I think that the statutory power to authorize the registrar to perform certain duties and confer certain powers on him should vest in the Senate which is the supreme governing body and which is the only authority which can make statutes. Otherwise, if this is removed, a mere executive body can vest the Registrar with several important powers and duties. I would, therefore, commend to the hon. Minister for Education the desirability of leaving the Act as it is without omitting the words ‘by statutes’. I see no reason why statutes cannot be made to regulate this rather important matter of vesting certain powers and duties in the Registrar.”

1 p.m. The hon. Dr. P. SUBBARAYAN:—“Mr. President, Sir, I have given notice of this amendment to give the same position to the powers of the Registrar as the powers of the Vice-Chancellor. The hon. Member will see that in section 12 (6) of the Act of 1923 it is stated that the Vice-Chancellor shall exercise such other power as may be prescribed. The Vice-Chancellor is a much bigger person than the Registrar. I thought, if the Vice-Chancellor can come under the ordinances, regulations and statutes why the

30th January 1929] [Dr. P. Subbarayan]

Registrar should not be brought under the same regulations, ordinances and statutes. That is why this amendment is brought forward."

The amendment was adopted.

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put one after another and carried:—

Clause 15—Class II—Life Members—Sub-clause (1).

In line 2, for the word 'appointed' substitute the word 'nominated'.

In line 4, after the word 'education' add the word 'and'.

Clause 15—Class III—Other Members.

Sub-clause (2).

In line 2, for the words 'ten at least' substitute the words 'not less than ten'.

Sub-clause (10).

In the last line, after the word 'period' insert the words 'and the same provision shall apply in all cases of vacancies arising before the expiry of such period.'

Sub-clause (b)—First proviso.

For the word 'body' in both the places where it occurs, substitute the word 'electorate'.

In line 4, for the words 'such a member' substitute the words 'such member'.

Sriman BISWANATH DAS Mahasaya:—"Sir, most of us got the list of amendments just to-day. So we have not applied our minds to them, though we do not object to have them considered. We must frankly confess that we have not applied our minds."

The hon. the PRESIDENT:—"Shall we take up the consideration of this Bill to-morrow?"

Mr. J. A. SALDANHA:—"Sir, the printed list was sent to us to-day. Type-written copies were sent to us before. Those who wanted to apply their minds could have done so." (Laughter).

The hon. Dr. P. SUBBARAYAN:—"We can go on."

Mr. S. SATYAMURTI:—"Provided we do not go so quickly, if I may say so respectfully. It is difficult to follow."

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put one after another and carried:—

Second proviso.

In line 4, after the word 'Senate' insert the words 'ex-officio'.

In line 5, before the words 'to the Vice-Chancellor' insert the words 'and communicated'.

In line 8, omit the word 'previous' occurring before the words 'election or nomination'.

[30th January 1929]

Sub-clause (c).

In line 2, omit the words 'under the preceding sub-section'.

In line 3, for the words 'University authorities', substitute the words 'authorities of the University'.

Clause 17.

Sub-clause (3).

In line 2, for the words 'and affiliated colleges', substitute the words 'affiliated and oriental colleges'.

Sub-clause (9).

Sriman BISWANATH DAS :—"Sir, I beg to move the following amendment :—

Add the following at the end :—

'especially in Indian system of medicine'.

"I move that the abovementioned words be added at the end of sub-clause (9) of clause 17 of the Bill. In so doing I commend this amendment to the consideration of the House for the following reasons. It is rather a misfortune that the claims of the Indian system of medicine has been relegated to the background by the Government. I think that the Indian School of Medicine which was started three or four years ago has been kept unnoticed both by the Members of this House and also by the Government. It is therefore necessary that it should be given a distinct status and recognition by the University and in the University Act. Therefore it is in the fitness of things that starting of laboratories and research work in the Indian system of medicine should not be lost sight of and it should be given the prominence which it deserves. With these words I commend my amendment to the consideration of the House."

Mr. P. BHAKTAVATSULU NAYUDU :—"I second the amendment."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I do not think it is necessary to introduce these words in the Bill, because the clause itself as it is drafted is wide enough and gives this power to the University. If you add these words you will be restricting the powers of the University to start research laboratories. I do not think it is necessary to restrict the powers of the Senate. If really the Senate is interested in starting any research work in Indian system of medicine, there is nothing in the Act to prevent them from doing so. I do not think we should restrict their powers."

(Sriman Biswanath Das rose to reply.)

The hon. the PRESIDENT :—"The hon. Member has no right of reply."

Mr. K. KOTI REDDI :—"Sir, I know that the provision in the Act is wide enough to include the Indian system of medicine. In order to draw the particular attention of the Government as well as the University it is desirable that these words should be inserted. Nothing is really lost by so doing. On the other hand, we would gain a good deal by drawing the prominent attention of the Government and the University because some of us are very keen on the matter. I hope the hon. Minister will accept the amendment."

30th January 1929]

The amendment was put and declared carried.

A poll was demanded and the House divided thus :—

Ayes.

- | | |
|-----------------------------------|--|
| 1. Mr. Sami Venkatachalam Chetti. | 20. Mr. P. Bhaktavatsulu Nayudu. |
| 2. " S. Satyamurti. | 21. Sriman Biswanath Das Mahasayo. |
| 3. " C. V. Venkataramana Ayyangar | 22. Mr. A. Kaleswara Rao. |
| 4. " T. Adinarayana Chettiayar. | 23. " R. Srinivasa Ayyangar. |
| 5. " P. Anjaneyulu. | 24. " K. Koti Reddi. |
| 6. " P. C. Venkatapathi Raju. | 25. " L. K. Tulasiram. |
| 7. " J. A. Saldanha. | 26. " C. Marudavanam Pillai. |
| 8. " Abdol Hamid Khan Sahib. | 27. " K. V. Krishnaswami Nayakar. |
| 9. " C. S. Govindaraja Mudaliyar. | 28. " K. Madhavan Nayar. |
| 10. " G. Harisarvottama Rao. | 29. " B. Venkataratnam. |
| 11. " C. N. Muthuranga Mudaliyar. | 30. " A. Ranganatha Mudaliyar. |
| 12. " K. V. R. Swami. | 31. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 13. " D. Narayana Raju. | 32. Mr. Ramanath Goenka. |
| 14. " K. Uppi Sahib. | 33. " R. Nagan Gowda. |
| 15. " K. R. Karant. | 34. " Chayadi K. Subrahmanya Pillai. |
| 16. " Mothay Narayana Rao. | 35. " K. G. Venkatarama Ayyar. |
| 17. " C. Obi Reddi. | 36. " K. P. Raman Menon. |
| 18. " A. Parasurama Rao Pantulu. | 37. " B. Ramachandra Reddi. |
| 19. " C. Ramasomayajulu. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Macjoribanks. | 28. Mr. T. M. Narayanaswami Pillai. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 29. " N. Siva Raj. |
| 3. " Mr. T. E. Moir. | 30. " M. V. Gangadhar Siva. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 31. " L. C. Guruswami. |
| 5. " M. R. Setnamnam Ayyar. | 32. " V. I. Munuswami Pillai. |
| 6. " Mr. S. Mutiah Mudaliyar. | 33. " W. P. A. Soundara Pandia Nadar. |
| 7. " Dr. P. Subbarayan. | 34. " S. Subrahmanya Mooparar. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 35. " Daniel Thomas. |
| 9. Khan Bahadur Muhammad Bazul-ulah Sahib. | 36. " S. Venkiah. |
| 10. Mr. H. A. Watson. | 37. Raj Sahib M. Hampayya. |
| 11. " C. A. Souter. | 38. Rao Sahib R. Srinivasan. |
| 12. " S. H. Slater. | 39. Mr. W. E. Smith. |
| 13. " A. McG. C. Tampoe. | 40. " F. E. Corley. |
| 14. " C. W. E. Cotton. | 41. " K. E. James. |
| 15. " V. Ch. John. | 42. " S. N. Dorai Raja. |
| 16. " M. A. Manikkavelu Nayakar. | 43. " S. Arpudaswami Udayar. |
| 17. " Syed Tajudin Sahib. | 44. " K. Ramachandra Padayachi. |
| 18. " C. D. Arpavu Chettiayar. | 45. " U. Ramaswami Ayyar. |
| 19. " A. Balakrishna Shetti. | 46. " G. K. Premnaya. |
| 20. " J. Bheemayya. | 47. Swami A. S. Sahajanandam. |
| 21. " J. A. Davis. | 48. Rao Bahadur Sir A. P. Patro. |
| 22. " R. Foulkes. | 49. Diwan Bahadur P. C. Ethirajulu Nayadu. |
| 23. " P. J. Gnanavaram Pillai. | 50. Rao Bahadur S. Ellappa Chettiayar. |
| 24. " Muhammad Shamsud Sahib | 51. Khan Bahadur S. K. Abdul Razack Sahib. |
| 25. The Muppil Nayar of Kavalappara | 52. Rao Bahadur B. Munuswami Nayudu. |
| 26. Subedar-Major S. A. Nanjappa Bahadur. | 53. Mr. K. Sarabha Reddi. |
| 27. Rao Bahadur O. M. Narayanan Namudipad. | 54. The Kumara Raja of Venkatagiri. |
| | 55. Mr. A. V. Bhanaji Rao. |

Ayes 37. Noes 55.

The amendment was lost.

[30th January 1929]

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put one after another and carried :—

Clause 17—Sub-clause (11).

In line 3, for the words ‘and affiliated colleges’ substitute the words ‘affiliated and oriental colleges’.”

Sub-clause (13).

After the word ‘degrees’ add the words ‘titles, diplomas and other academic distinctions’.”

Sub-clause (14).

In line 1, after the word ‘degrees’ insert the words ‘titles, diplomas’.”

Item (a).

“For the words ‘or in an affiliated college’, substitute the words ‘affiliated or oriental colleges’.”

Sub-clause (18).

* The hon. the PRESIDENT:—“The following amendment of the hon. Dr. P. Subbarayan is for the consideration of the House :—

“For the words and figure ‘specified in section 4 (A) of this Act’ substitute the words ‘of this Act not otherwise provided for’.”

Mr. S. SATYAMURTI:—“Will the hon. the Minister kindly explain what is intended by this amendment?”

The hon. Dr. P. SUBBARAYAN:—“The phrase ‘for all or any of the purposes specified in sub-clause (18) of new section 16’ is rather vague. Since the Senate has been given power to prescribe the fees to be charged for recognition of colleges, etc., the expression ‘all or any of the purposes of this Act not otherwise provided for’ is the most suitable.”

* Mr. S. SATYAMURTI:—“I am afraid my hon. Friend’s explanation has not taken us very far. As hon. Members will notice this clause is intended to substitute section 16 of the Act which defines the powers of the Senate. One of those powers prescribed in sub-section (18) of this section is that ‘the Senate shall have power to prescribe the fees to be charged for the recognition and affiliation of colleges, for admission to the examinations, degrees and diplomas of the university, for the registration of the graduates and for all or any of the purposes specified in section 4-A of this Act’. Section 4-A of this Act, hon. Members will notice, is a new section accepted by this House to form part of the University Act of 1923 defining in a very comprehensive manner all the powers which the University shall have. I really fail to understand how the substitution of the new words ‘of this Act not otherwise provided for’ improves the situation as it is now found in the wording of section 18. Unless the hon. Minister has got something in his mind which is not provided for in section 4-A, I cannot see any purpose for which the University will be called upon to prescribe fees. If my hon. Friend can convince the House that there is likely to arise a need for any powers which are not provided for in section 4 A, I will consider it. The provision under section 4-A is comprehensive enough. It empowers the

30th January 1929]

[Mr. S. Satyamurti]

Senate to do all such acts as may be necessary or desirable to further the objects of the university. I do not see therefore why we should now change the words in section 4-A of this Act.

"There is also a substantial objection. The provision confers powers on a subordinate authority created by us. I think it is a well understood canon of legislation that we should be very precise in the nature and extent of the powers we seek to confer on subordinate bodies. I would therefore commend to my hon. Friend the Minister to leave the wording exactly as it is, because it defines the purposes for which it can be done, whereas, if power is given, for example, to prescribe fees for any purposes under the Act not provided for, it makes it indefinite, at any rate more indefinite than if section 4-A is left there. I would suggest that this amendment is not called for and may work some mischief."

The amendment was by leave withdrawn.

Clause 18.

* The hon. the PRESIDENT :—"The following amendment given notice of by the hon. Dr. P. Subbarayan was put and carried.

"In the third line, before the figure '(1)' insert the figure '(17)'."

Clause 19.

The hon. the PRESIDENT :—"The hon. Dr. Subbarayan's amendment to clause 19 is for the consideration of the House. It runs as follows :—

For clause 19, substitute the following clause, namely :—

"19. (1) *The paragraphs of section 18 of the said Act except the last paragraph shall be lettered as sub-section (a) of section 18 and in the sub-section as so lettered, under the head 'Class II—Other Members'—*

(a) *in clause (1) the words 'of whom not less than three shall be teachers of affiliated colleges' shall be added at the end ;*

(b) *clause (3) shall be omitted and clause (4) re-numbered as (3) ; and*

(c) *after clause (3) as so re-numbered, the following proviso shall be inserted, namely :—*

'Provided that no whole-time University Professor or whole-time teacher of the University shall be eligible for election or nomination as a member of the Syndicate.'

(2) *For the last paragraph of the said section, the following sub-sections shall be substituted, namely :—*

(b) *Save as otherwise provided, elected and nominated members of the Syndicate shall hold office for a period of three years from the date of the election or nomination as the case may be ;*

'Provided, however, that no member elected in his capacity as a member of a particular electorate shall hold office for a longer period than three months after he has ceased to be such member unless meanwhile he again becomes a member of that electorate ;'

[The President]

[30th January 1929]

' Provided also that where an elected or nominated member of the Syndicate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Syndicate ex-officio ; '

' he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Syndicate by virtue of his election or nomination or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member ; '

' Provided also that a member of the Syndicate shall cease to be a member if he subsequently becomes a whole-time University Professor or whole-time teacher of the University.

(c) When a person ceases to be a member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate ; '

The hon. Dr. P. SUBBARAYAN :—" These are only drafting amendments, Sir."

Mr. S. SATYAMURTI :—" May I make one submission, Sir ? "

The hon. the PRESIDENT :—" Please wait. I think Mr. Satyamurti's amendment is a substantial amendment and if that is carried there must be a consequential drafting amendment. Let us fix the procedure."

* Mr. S. SATYAMURTI :—" I do not think that so far as the words in the hon. Minister's amendment beginning with 19 (1) (c) are concerned, anything need be altered. That portion I have not touched in my amendment. Therefore, if my amendment is accepted by this House, it will only mean that that will take the place of the amendments of my hon. Friend, the Chief Minister to 19 (1) (a) and (b). The proviso relating to University professors, etc., I have not touched. The House can deal with it on its merits. My amendment merely touches the composition of the Syndicate."

* The hon. the PRESIDENT :—" We shall make the hon. Dr. P. Subbarayan's amendment the primary amendment and then Mr. Satyamurti may move his amendment to it."

* Mr. S. SATYAMURTI :—" It will be suitable, Sir, and convenient."

* The hon. the PRESIDENT :—" Mr. Satyamurti may now move his amendment as an amendment to Dr. Subbarayan's amendment."

* Mr. S. SATYAMURTI :—" I must guard myself and seek your protection in drafting my amendment suitably."

* The hon. the PRESIDENT :—" The hon. Member will have to make the necessary changes in his amendment."

* Mr. S. SATYAMURTI :—" I am not an expert in drafting amendments at short notice."

30th January 1929]

* The hon. the PRESIDENT:—"As it is not likely that the House will dispose of this before lunch, it will be convenient to postpone this and dispose of the amendments to the subsequent clauses. During the lunch interval the Secretary will assist the hon. Member in drafting his amendment to be moved after lunch. It will be better if consideration of all the amendments to clause 19 is postponed till then."

The consideration of the amendments were accordingly postponed after lunch.

The following amendments of the hon. Dr. P. Subbarayan were put and carried:—

Clause (20).

Item (a).

In line 1, omit the word 'to' occurring before the words 'amend or repeal'.

Item (f).

For the words 'funds and properties', substitute the words 'properties and funds'.

Item (g).

In line 1 and in clause (h) in line 2, after the word 'Professors' insert the words 'and Readers'.

The hon. Dr. P. SUBBARAYAN moved—

'In item (j) in the last line, for the word 'therefrom' substitute the words 'from hostels'.'

Mr. S. SATYAMURTI:—"With regard to this I should like to have some light from the hon. Minister as to what exactly he means."

The hon. Dr. P. SUBBARAYAN:—"This will make our intention more clear."

Mr. S. SATYAMURTI:—"May I ask my hon. Friend whether the power to withdraw recognition from oriental colleges has been put into this Bill? I have my own doubts about it."

The hon. Dr. P. SUBBARAYAN:—"The hon. Member will please look into item (k)."

* Mr. S. SATYAMURTI:—"Item (k) refers only to inspection. I think it is much better to have 'therefrom'. We shall have the benefit of ambiguity."

The amendment was by leave withdrawn.

The following amendments of the hon. Dr. P. Subbarayan were then put and carried:—

Item (k).

For the words 'constituent colleges, hostels and affiliated colleges', substitute the words 'constituent, affiliated and oriental colleges and hostels.'

Item (l).

In line 2, for the words 'constituent and affiliated colleges', substitute the words 'constituent, affiliated and oriental colleges.'

[30th January 1929]

Item (r) sub-Item (i).

The hon. Dr. P. SUBBARAYAN moved—

“In line 1, after the word ‘examiners’, insert the words ‘and assistant examiners’.”

Mr. S. SATYAMURTI :—“ May I know why this addition is sought to be made? ”

The hon. Dr. P. SUBBARAYAN :—“ To make it more complete the words ‘assistant examiners’ have been included.”

* Mr. S. SATYAMURTI :—“ We have in the University not only examiners and assistant examiners, but also additional and special examiners. This amendment seems to be unnecessary.”

The hon. Dr. P. SUBBARAYAN :—“ Since the Advocate-General also thinks so, I have no objection to withdraw this amendment.”

The amendment was by leave withdrawn.

Item (r) sub-item (ii).

The hon. Dr. P. SUBBARAYAN moved—

“For the word ‘fees’, substitute the word ‘remuneration’.”

Mr. S. SATYAMURTI :—“ What is the difference between ‘fees’ and ‘remuneration’? ”

The hon. Dr. P. SUBBARAYAN :—“ I think it is a better term.”

The amendment was put and carried.

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

Clause 19.

* Mr. S. SATYAMURTI :—“ I beg to move the following amendment to the hon. the Chief Minister’s amendment :—

“For sub-clause (a), substitute the following—

“In clause (2) for the word ‘three’ the word ‘six’ shall be substituted and at the end of clause (2), the following words shall be added :—

‘of whom three shall be teachers of affiliated colleges and the rest shall be persons other than teachers of affiliated colleges.’

“The rest of the amendment will stand as it is. I will explain the difference between the amendment of the Chief Minister and mine. The Chief Minister’s amendment seeks to reduce the strength of the Syndicate from 19 to 16 and reduces the representation of the Senate on the Syndicate in this manner. The total shall be eight, of whom three shall be teachers of affiliated colleges. On the other hand, Mr. President, my amendment provides that the representation of the Senate on the Syndicate will continue as it is, eight, but that the representation of the Academic Council on the Syndicate shall be raised from three to six of whom three shall be teachers of affiliated colleges and three others other than teachers of affiliated colleges. I beg to move my amendment for the acceptance of the House. My amendment is consequential on the abolition of the council of affiliated colleges by a vote of the House.”

30th January 1929]

Mr. J. A. SALDANHA :—" I beg to second it."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I made it clear during the discussion of the second reading of the Bill that I had no objection to it and now that the consequential amendment has been made I have no objection to accept it."

The amendment was put and carried.

• The amendment of the hon. Dr. P. Subbarayan as amended by the amendment of Mr. S. Satyamurti was then put to the House and carried.

Sub-clause (a) (iii).

* Sriman BISWANATH DAS Mahasaya :—" I beg to move—

" In lines 3 and 4, omit the words ' whole time '.

" In doing so I have to place the following facts for the consideration of the Council. The proviso proposes that the professors of the University may be eligible as members of the Syndicate. These professors may either be whole-time or part-time officers. The Syndicate wields very great power and is the executive authority of the Senate. To illustrate my position I state that the professors whom the Syndicate has to appoint are thus the would-be members of the Syndicate some day. So this approximates to the theory of the servant practically becoming the master himself one day. That is a position which this Council should not tolerate. Then the Syndicate has got the power of not only appointing professors, assistant professors and lecturers, but has also got the power of appointing persons as examiners, paper-setters and so on. So these professors I take it are to be selected by themselves. Under these circumstances I propose the omission of the word ' whole time '."

Mr. BASHEER AHMED SAYEED :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I am afraid I shall have to oppose this amendment because whole-time professors are different from part-time. If this amendment is carried no academic element will be represented in the Syndicate at all. Because most of the members of the Syndicate are readers or part-time officers who are not servants as they are not people doing lecturing work. So I oppose the amendment."

The amendment was put and lost.

The following amendments of the hon. Dr. P. Subbarayan were put and carried:—

Class I—Ex-officio Members.

Item (x).

For the words ' the Statutes, the Ordinances or the regulations ' substitute the words ' or the Statutes, Ordinances or Regulations '.

Clause 21.

In line 1, for the words ' heading of ', substitute the words ' heading to '.

Clause 22.

For the figures ' (i) ', ' (ii) ', and ' (iii) ' distinguishing the sub-sections of new section 23, substitute letters ' (a) ', ' (b) ', and ' (c) ' respectively.

In sub-section (a), as so lettered, in clause (9) of class I, in line 2 at the end, after the figure ' 14 ', insert the word ' and '.

[30th January 1929]

Sriman BISWANATH DAS Mahasaya :—"I beg to move—

"Add the following as new item (11)—

'The Principal of the Indian School of Medicine.'

"Sir the amendment proposes to include among the members of the Academic Council the Principal of the Indian School of Medicine as an ex-officio member. Looking into the constitution of the Academic Council, hon. Members of this House will please see that about six principals of second-grade colleges, principals of all first-grade colleges and also the Principal of the Medical College are members of the Academic Council. This Academic Council has important functions so far as research, teaching, etc., are concerned. Under the University Act it has to recommend to the Senate the schemes of constitution and reconstitution of teaching, and to promote research, and call for reports of such research from persons engaged in it and then recommend to the Syndicate thereon. They have to recommend also the examiners and the assistant examiners. It has been our hope to see that the Indian system of medicine is given its due share in the educational development and activities of this province.

2-45
p.m.

"Unfortunately, Government have not given due consideration to this subject though the Usman Committee recommended this as long ago as 1923. In this connexion I wish to draw the attention of hon. Members to page 44, paragraph 16, of the said report, wherein specific recommendations have been made on this subject. The illustrious authors of the report recommend 'An Indian university may well be expected to interest itself in the promotion of Indian medicine by adopting such measures as the following :—

- (i) Establishment of a University Chair of Indian Medicine.
- (ii) Providing for post-graduate lectures and courses
- (iii) Establishment of a Faculty of Indian Medicine with a corresponding Board of Studies, Examination Boards, and so on.
- (iv) Founding of Research fellowships and scholarships.

"So, nothing of these could be done unless you give the Principal of the Indian School of Medicine a status, which is so essential and necessary for the purpose of encouraging Indian medicine. It is also essential to give effect to the recommendations of the Usman Committee after five years of its publication. Under these circumstances I propose that the Principal of the Indian School of Medicine should be included as item 11 in clause 22."

Mr. BASHEER AHMED SAYEED :—"I second the motion, Sir."

*The hon. Dr. P. SUBBARAYAN :—"I am afraid I cannot accept this amendment, because the Indian School of Medicine is not one of the institutions affiliated to the University of Madras. The Madras University does not, at present, conduct examinations in the Indian system of medicine. When that time comes, I am sure there will be a place for the Principal of the Indian School of Medicine. As long as the University remains a university catering for western methods, I cannot understand how the Principal of the Indian School of Medicine has to be given a place in the Academic Council. If the Principal of the Indian School of Medicine is going to be ex-officio there are other principals, such as the principals of oriental colleges, who teach students for the University examinations in Vidwan, Siromani, etc., who do not find a place there. They will have more claims than the Principal of the Indian School of Medicine. Under these circumstances, I am afraid I cannot accept this amendment."

30th January 1929]

* **Mr. C. RAMASOMAYAJULU** :—“ I am sorry that the Chief Minister wants us to wait until the examinations are conducted by the University. Unless he accepts motions of this sort, which will give impetus and status to the branch of Indian medicine in university culture, time will never come for the university to conduct examinations in Indian medicine. It is therefore no logic to say they will have to wait till the examinations are conducted to have representation in the Academic Council. If we accept the advice of the Chief Minister, we will have to wait till doomsday. This is one of the steps by which we may be able to advance the cause of Indian medicine. If the hon. Minister accepts this amendment, it will be taking us one more step in advance in the instruction of Indian medicine.”

Dr. B. S. MALLAYYA :—“ I am really surprised at the statement of the hon. the Minister. The present Principal, Sir, is a first-class graduate. He is also a graduate in law; he has got triple qualifications and he has the unique distinction of having blended the eastern system of medicine with the western system and he is trying to bring it up to date. I find that more of western medicine is taught there to the students than Indian medicine. Moreover, there was a proposal recently in the University of Madras to institute examinations in Indian medicine also. If it is the object of Government to encourage Indian medicine, it is high time and I appeal to the hon. the Chief Minister to reconsider and give the Indian School of Medicine a decent chance.”

* **Mr. L. K. TULASIRAM** :—“ From what I heard from the hon. the Chief Minister for Education, he wants to exclude Indian medicine altogether from the University of Madras. I will taboo the University when it excludes Indian medicine. When my hon. Friend Mr. Biswanath Das from Ganjam pressed for it, I understood the hon. Minister for Education to say that he would not exclude it for all time and he does not say that Indian medicine could always be excluded. We are only asking that the Principal of the College should be made ex-officio member of the Academic Council. I understood the hon. Minister to say that the University has not taken cognizance of Indian medicine and therefore he opposes the inclusion of the Principal of the Indian School of Medicine on the Academic Council. I say, Sir, that it is very necessary that the Indian system of medicine should be recognized by the University of Madras and if the University does not do it, taboo the Madras University. Indian doctors, hakims and others will only boycott the University if it is going to do that. I have tried Indian medicines. I am now speaking with a hoarse throat and after taking Indian medicine it has given me relief. I appeal to my hon. Friend, the Minister for Education, not to be so zealous of his English system of medicine. He is an Indian like myself and I hope better sense would prevail and that he would have the courage to adopt the Principal of the Indian School of Medicine as one of the colleagues on the Academic Council.”

* **Mr. K. KOTI REDDI** :—“ Mr. President, Sir, it is really surprising why the Chief Minister should object to include the Principal of the Indian School of Medicine and it is a great surprise to see that the Chief Minister shows scant consideration for the system of Indian medicine. We are aware that many eminent Englishmen have given their praise with regard to the Indian system of medicine. It was only the other day that the eminent Englishman, Dr. Rushbrook Williams, wrote that so many Englishmen had

[Mr. K. Koti Reddi]

[30th January 1929]

tried successfully Indian medicine where allopathic medicine had failed. When such is the case, I do not see any reason why the Chief Minister should not make this attempt at trying to help the system of Indian medicine. The fact that at present the University does not include examinations in Indian medicine, is no ground for refusing to admit the Principal into the Academic Council. If he is admitted into the Academic Council, the time will soon come when by his influence and persuasion, the Academic Council and the University will include the Indian system of medicine in the University examinations. I therefore appeal once again to the hon. the Chief Minister to think twice before rejecting this amendment."

(Mr. S. N. Dorai Raja rose to address the House from the Government Bench.)

* The hon. the PRESIDENT:—"The hon. Member has got a right to speak from all the benches except the Treasury Bench."

Mr. S. N. DORAI RAJA (from a seat on the Opposition Bench):—"I apologize to you, Sir. I am surprised to hear what hon. Members have stated. It is not want of sympathy or want of recognition of Indian medicine but it is due to the respect which the Minister has for the University autonomy that he is unable to accept this amendment. Nobody can interfere with the autonomy of the Madras University. That is the whole trouble. I for one as a member of the Senate would resent any sort of interference from any quarter. I therefore oppose this amendment."

* The hon. the PRESIDENT:—"The question is that 'The Principal of the Indian School of Medicine' be added as new item (11) in clause 22."

The amendment was put to the House and declared lost.

A poll was demanded.

(After the ringing of the division bell was over and just before the poll was about to be taken, Mr. J. A. Saldanha entered the House. The hon. the President remarked: 'The hon. Member will kindly keep aloof.')

Mr. J. A. SALDANHA:—"I won't vote, Sir."

* The hon. the PRESIDENT:—"The hon. Member will kindly be outside the House."

The House divided thus:—

Ayes.

1. Swami A. S. Sahajanandam.
2. Mr. V. Ramjee Rao.
3. " Sami Venkatachallam Chetti.
4. " S. Satyamurti.
5. " C. V. Venkataramaya Ayyangar.
6. " T. Adinarayana Chettiyar.
7. " P. C. Venkatapati Raju.
8. " Abdul Hamid Khan.
9. " C. S. Govindaraja Mudaliyar.
10. " G. Harisarvottama Rao.
11. " C. N. Muthuranga Mudaliyar.
12. " K. V. R. Swami.
13. " D. Narayana Raju.
14. Dr. B. S. Mallayya.
15. Mr. K. R. Karant.
16. " C. Obi Reddi.
17. " A. Parasurama Rao.
18. " C. Ramasomayajulu.

19. Mr. Bashear Ahmad Sayeed.
20. Sriman Biswanath Das Mahasaya.
21. Mr. R. Srinivasa Ayyangar.
22. " K. Koti Reddi.
23. " L. K. Tulasiram.
24. " Marudavanam Pillai.
25. " K. V. Krishnaswami Nayakar.
26. " K. Madhavan Nayar.
27. " K. S. Sivasubrahmanya Ayyar.
28. " A. Ranganatha Mudaliyar.
29. " Ramanath Goenka.
30. " R. Nagan Gowda.
31. The Zamindar of Gollapalli.
32. Mr. Chavadi K. Subrahmanya Pillai.
33. " K. P. Raman Menon.
34. " C. Gopala Menon.
35. " B. Ramachandra Reddi.
36. Kumara Raja of Venkatagiri.

30th January 1929]

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 24. Rao Bahadur O.M. Narayanan Nambudiripad. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 25. Mr. T. M. Narayanaswami Pillai. |
| 3. " Mr. T. E. Moir. | 26. " N. Siva Raj. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 27. " M. V. Gangadhar Siva. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 28. Rao Sahib L. C. Guruswami. |
| 6. " Mr. S. Muthiah Mudaliyar. | 29. Mr. V. I. Muniswami Pillai. |
| 7. " Dr. P. Subbarayan. | 30. " W. P. A. Soundarapandia Nadar. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 31. " S. Subrahmanya Moopanar. |
| 9. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur. | 32. " Daniel Thomas. |
| 10. Mr. H. A. Watson. | 33. " S. Venkiah. |
| 11. " C. A. Souter. | 34. Rai Sahib M. Hampayya. |
| 12. " S. H. Slater. | 35. Rao Sahib R. Srinivasan. |
| 13. " A. McG. C. Tampoe. | 36. Mr. F. E. Corley. |
| 14. " C. W. E. Cotton. | 37. " W. E. Smith. |
| 15. " V. Ch. John. | 38. " F. E. James. |
| 16. " M. A. Manikkavelu Nayakar. | 39. " R. J. C. Robertson. |
| 17. " C. D. Appavu Chettiyar. | 40. " S. N. Dorai Raja. |
| 18. " A. B. Shetty. | 41. " S. Arpudaswami Udayar. |
| 19. " J. Bheemayya. | 42. " K. Ramachandra Padayachi. |
| 20. " R. Foulkes. | 43. " G. R. Premayya. |
| 21. " Mahmud Schammad Sahib. | 44. Khan Bahadur Abdul Razaak Sahib Bahadur. |
| 22. The Zamindar of Singampatti. | 45. Mr. Muhammad Kadir Mohidin Sahib. |
| 23. Subadar-Major S. A. Nanjappa Bahadur. | 46. Diwan Bahadur S. Kamaraswami Reddiyar. |
| | 47. Mr. K. Sarabha Reddi. |

Neutral.

- | | |
|------------------------------------|--------------------------------------|
| 1. Mr. S. V. Vanavudaya Gounder. | 6. Mr. U. Ramaswami Ayyar. |
| 2. " P. J. Gnanavaram Pillai. | 7. Rao Bahadur Sir A. P. Patro. |
| 3. Syed Tajudin Sahib Bahadur. | 8. Mr. P. T. Rajan. |
| 4. Dr. (Mrs.) Muthulakshmi Reddi. | 9. Rao Bahadur S. Ellappa Chettiyar. |
| 5. Diwan Bahadur P. Kesava Pillai. | |

Just before the announcement of the poll was made, Mr. L. K. Tulasiram rose to speak.

* The hon. the PRESIDENT :—"The hon. Member will wait till the announcement of the result of the poll."

Ayes 36. Noes 47. Neutral 9.

The amendment was lost.

* The hon. the PRESIDENT :—"I wish to impress upon hon. Members 3 p.m. that when a division is on and till the result of the poll is announced, no Member has got a right to address the House."

Mr. L. K. TULASIRAM :—"I made a mistake, Sir, and I am very sorry for that. Mr. President, I move the adjournment of the remaining items on the agenda."

The hon. the PRESIDENT :—"The hon. Member may hand in his motion in writing."

The following amendments standing in the name of Dr. P. Subbarayan were then put and carried :—

Class II—Other Members. Sub-clause (5).

In line 1, after the word 'elected' insert the words 'from among themselves', and

[30th January 1929]

In line 2, after the word 'Government' at the end, add the words 'and situated within the jurisdiction of the University.'

Sub-clause (ii). First proviso.

In the first proviso for the word 'body' in both the places where it occurs, substitute the word 'electorate'.

° Second proviso.

In line 4, after the words 'Academic Council', insert the words 'ex-officio'.

In line 5, before the words 'to the Vice-Chancellor', insert the words 'and communicated', and

In line 8, omit the word 'previous' occurring before the words 'election or'.

Mr. L. K. TULASIRAM:—"I move, Sir, for the adjournment of the remaining items on this agenda—I have handed over the motion in writing. Mr. President, Sir, I should say in all fairness that the printed agenda was only placed in our hands last evening, and in the case of some members this morning. And I also find that they are not merely verbal amendments or alterations. They extend to over nine pages of this printed agenda and the items come up to 81, and some of us have not been provided with the actual Bill and really we do not understand what we are doing. We have to apply our mind to this Bill and come to some conclusion. You were also pleased to say, Sir, that you also found it very difficult to stand on your legs and read all these propositions. I think it will serve the interests of this hon. House better if we are given sufficient time to consider the proposals and see what all was intended by these amendments in the agenda. With these few words I have much pleasure in moving this adjournment of the remaining items on the agenda for another sitting of the Council."

Sriman BISWANATH DAS Mahasaya:—"Sir, in seconding the motion of my hon. Friend from Madura I have to say that deliberations of a legislature should be far from what is being done here. We have been called upon to give our sign of approval to a very important law, that is, the University Act of Madras without knowing what it is. It is a matter for regret that we were supplied with the agenda just this morning, I mean the printed agenda. My hon. Friend, Mr. Saldanha, just one or two hours back told us that he got litho copies of the agenda yesterday evening. Looking at the litho copies, I would appeal to the hon. Members of this House, that no one could make head or tail out of them. Many of those leaflets are far from being legible, and then they were supplied to us piecemeal fashion and many of us have lost even those leaflets. It is only this morning that the printed agenda was placed in our hands. Under these circumstances it becomes very hard that Legislative Councillors should be called upon to give their co-operation on an important question like this. It is in view of all this that I made a representation to you, Sir, that unless it is the desire of the Government that hon. Members of the House should shut their eyes and nod their assent to whatever is moved by the hon. the Chief Minister, it is no use to expect any deliberation or deliberate assent from the hon. Members of this House. These being the circumstances under which we are called upon to discharge our responsibility to both our electorate and to the people of this Presidency, I think it is but fair to the people of this Presidency, that Government should cease rushing through legislation without giving

30th January 1929] [Sriman Biswanath Das Mahasayo]

due notice and due time to the Members of the Legislative Council to think calmly over questions of such importance. Sir, you may have seen that many hon. members of this House on very important questions on which we have already voted, have voted without knowing—I do not mean any offence to hon. Members of this House—what they are doing. It is evident because many hon. Members had to run away and just get up one way or other without knowing the importance of the questions on which they were voting. These being the circumstances, I would appeal to the Government and also to the various parties in this House not to rush through this legislation and not to cultivate the habit of nodding assent on important questions without knowing their consequences. With these few words, I very heartily second the motion of my hon. Friend from Madura.

* The hon. the PRESIDENT :—“ Before I put the question to the House I should like to make some observations regarding the way in which notices of amendments were supplied to hon. Members. Some reflections were made by the Members regarding the method adopted by the Legislative Council office in sending these notices, that they were sent out piecemeal and that they were not legible and so on. If really members do feel that any irregularity was committed in the Legislative Council office, it is not good in my opinion to make references to all those matters in the open Council. They can go to the Secretary or to the President and make such representations as they like. I think the dignity of the House requires that any complaints against the office must not be made in the open House. After all, here the Opposition is functioning against the Government and not against the Legislative Council office.”

Sriman BISWANATH DAS Mahasayo :—“ A word of explanation, Sir. It was far from my mind to cast any aspersions or to make any allegations against the Legislative Council office and much less against the Secretary, who has been very kind and helpful to us all along. It was far from my mind to make any allegation of the kind just now stated by you, Sir. And if I have done so, it was done certainly most unwittingly and not with any deliberation, and I would certainly be very glad to apologise if you have taken it in that light. All that I want to say is this, that the Government want to rush through measures and in doing so they do not give sufficient notice to the Legislative Council office and the Legislative Council office in such cases must necessarily hurry through the business and give us litho notice. And the result is we are not able to gather them and arrange them and so on. These are the difficulties under which we are called upon to discharge our responsibility, and that is all the representation I wanted to make.”

* The hon. the PRESIDENT :—“ Here the amendments were handed over by the hon. Minister to the Secretary about five days ago and they were immediately circulated to the Members in Roneo. The Council office has done its best and if the hon. Member agrees that these statements are correct, he has to exonerate the Council office without any condition.”

Sriman BISWANATH DAS Mahasayo :—“ As I have said, Sir, I have no objection to do so.”

* The hon. the PRESIDENT :—“ The question is that the consideration of the Madras University Amendment Bill be adjourned.”

[30th January 1929]

Mr. N. SIVA RAJ :—" Mr President, I rise to oppose the motion for the adjournment of this question. Almost all the amendments that have been introduced in connexion with the Madras University Bill are more or less of a formal nature—to alter a word here or introduce a word there and so on. The amendments do not go to affect the character or the nature of the Bill or any principles underlying the Madras University Act. Apart from the allegations that have been made against the Legislative Council office, I noticed in the speech of my friend Mr. Biswanath Das certain allegations made against the Members of this House. He suggests that Members of this House do rush into the House merely to give their votes without understanding the consequence of that vote. I think, Sir, he owes an apology to the Members of this House."

* The hon. the PRESIDENT :—" He has got every right to reflect about the capacity of the Members of the House collectively."

Mr. N. SIVA RAJ :—" But I thought, Sir, that there is a presumption in our favour that every Member who votes does so after understanding the implications of that vote. Anyhow, Sir, I think the hon. Member was indiscreet in making that kind of remark. So far as the motion is concerned, in view of the fact that almost all these amendments are merely of a formal nature, I do not think this question requires so much consideration as my hon. Friend thinks."

3-15
P.m.

* Mr. ABDUL HAMID KHAN :—" Mr. President, if I rise to support this motion it is not for the reason that we have received notice of these amendments early or late, but I do so as a protest against the attitude of the Ministry and of Government with regard to matters Indian. After all, it was a very small matter that was sought to be done, viz., to include the name of the Principal of the Indian School of Medicine. If the Minister had agreed to accept this he could have counted on the co-operation of this side of the House. Motion after motion was made by this side of the House which was calculated to develop the Indian system of medicine and Indian system of education, a national system of education, and there comes from the Minister who is in charge of education a very vocal 'No'. We thought that education being a transferred subject and in charge of a Minister the popular side of the educational system in this country would have its own place. But what is happening is all to the contrary. The Minister who is an Indian and who is responsible in a way to the representatives of the people in this House always stands against national aspirations. This is only one aspect of the thing. If the Minister has not thought fit to bring a change in the policy of the Government, the reserved half of the Government, I must say he has not done anything to satisfy the people of this country. All the systems of Indian Medicine, like Ayurveda, Unani and Sidda demand the immediate attention of the Government."

* The hon. the PRESIDENT :—" I am afraid the hon Member has to confine his remarks to the necessity for the adjournment instead of giving his arguments in respect of the various systems of medicine."

* Mr. ABDUL HAMID KHAN :—" I shall confine myself to the motion before us. As I said in the beginning, I support the motion for adjournment as a protest against the policy of the Government. In rejecting such a motion as that which is calculated to develop the Indian system of medicine the Government has forced us to bring forward this motion."

30th January 1929]

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, I was surprised at the attitude taken by the other side at this stage, but after my Friend Mr. Hamid Khan's speech I could see the Opposition's anger against me. Reason of course is at a discount when passion is at play, and I quite understand why this adjournment is being moved. We have gone through six pages out of the nine pages of amendments, and, hon. Members did not think it fit all that time to say that the consideration of this Bill should be adjourned. As a matter of fact, the other amendments that are to come are more verbal than even the ones we have considered. When such is the case, I do not see why we should adjourn the consideration of the Bill."

* Mr. BASHEER AHMAD SAYEED :—" Sir, I do not agree with what the hon. the Chief Minister has said as to the reasons against adjourning the rest of the items on the agenda. Mr. President, any cursory glance at the remaining amendments on the University Bill will show to the hon. Members that they are not merely verbal amendments but they seek to insert several new clauses and substitute several others; and they are in some cases of a far-reaching importance. For instance, in the case of one amendment, instead of 'Senate', the 'Syndicate' is proposed to be substituted. This cannot certainly be a verbal amendment. Further, the agenda was not read through by the Councillors and sufficient time was not given. Some of the amendments are of far-reaching importance and for anything like a considered enactment of law, the Councillors must have time enough to deliberate over the amendments which the Chief Minister himself has taken several months to prepare and give notice of. He could have given notice of these amendments pretty earlier, but he did not do so. He might have drafted the Bill itself in an acceptable form. While he himself went on, from day to day, altering and amending and had taken a good lot of time, he would not allow the members, especially members of the opposition, time enough to consider those amendments, time enough to give their mature consideration to various aspects of the amendments to this Bill which is going to become law. Why should these things be hurried in the fashion the Minister wants us to do, under the cover that the amendments are all mere formal amendments,—though several important changes are sought to be made through them—until the Councillors have had time to go through them carefully and considered the pros and cons for the acceptance or non-acceptance of those amendments. Under these conditions, it is but fair to expect the House to adjourn the consideration of these remaining items and allow some time to the hon. Members to deliberate over them calmly, and contribute their best to this legislation."

* Mr. K. V. R. SWAMI :—" Mr. President, the Chief Minister in his reply has touched on only one point. He asks why we did not take objection at the earliest opportunity, why we took all this time and now raised the objection. He is quite correct. My reply is, we could have taken objection earlier but we thought that things would go on more smoothly, and my hon. Friend, the Chief Minister, we thought, would be amenable to small amendments proposed by some friends here. It is true we have not had time to study the whole thing. But we have given some small amendments which would not hurt his Bill or him or his reputation and he won't accept them. It seems he has got a dislike for anything Indian. Instead of satisfying the national inclinations, he comes and says 'This must be brushed aside, I have

[Mr. K. V. R. Swami]

[30th January 1929]

got a thumping majority and I will see the Bill through.' This is the attitude adopted by him. He twits us by saying 'Your passions are out, you are not reasonable at all,' and so on. He himself is responsible for the situation. When a charge was brought against him that he dislikes everything Indian, he did not contradict. He is secure of his majority and does not care for anybody else. That seems to be his attitude."

Diwan Bahadur P. KESAVA PILLAI:—"I move that the question be now put."

The motion was carried.

Dr. B. S. Mallayya demanded a poll and the House divided thus:—

Ayes.

- | | |
|--|--|
| 1. The hon. Sir Norman Macjoribanks. | 34. Mr. S. Subrahmanya Moopanar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 35. " Daniel Thomas. |
| 3. " Mr. T. E. Moir. | 36. " S. V. Vanavudaiya Goundar. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 37. " S. Venkiah. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 38. Rai Sahib M. Hampayya. |
| 6. " Mr. S. Muthiah Mudaliyar. | 39. Rao Sahib R. Srinivasan. |
| 7. " Dr. P. Subbarayan. | 40. Mr. W. E. Smith. |
| 8. Dr. (Mrs.) S. Mathulakshmi Reddi. | 41. " F. E. Corley. |
| 9. Diwan Bahadur P. Kesava Pillai. | 42. " C. E. Wood. |
| 10. Mr. Alladi Krishnaswami Ayyar. | 43. " F. E. James. |
| 11. Khan Bahadur Muhammad Bahl-ul-Jah Sahib Bahadur. | 44. " R. J. C. Robertson. |
| 12. Mr. H. A. Watson. | 45. " H. F. P. Hearson. |
| 13. " C. A. Souter. | 46. " S. N. Dorai Raja. |
| 14. " S. H. Slater. | 47. " S. Arpudawami Udayar. |
| 15. " A. McG. C. Tampoe. | 48. " K. Ramachandra Padayachi. |
| 16. " C. W. E. Cotton. | 49. " G. R. Premayya. |
| 17. " V. Ch. John. | 50. Swami A. S. Sahajanandam. |
| 18. " M. A. Manikkavelu Nayakar. | 51. Mr. V. Ramjee Rao. |
| 19. Syed Tajudin Sahib Bahadur. | 52. Zamindar of Gollapalli. |
| 20. Mr. A. B. Shetty. | 53. Mr. Chavadi K. Subrahmanya Pillai. |
| 21. " J. Bheemayya. | 54. " K. R. Venkatarama Ayyar. |
| 22. " R. Foulkes. | 55. " K. P. Raman Menon. |
| 23. " P. J. Gnanavaram Pillai. | 56. " C. Gopala Menon. |
| 24. Mahmud Schammad Sahib Bahadur. | 57. " B. Ramachandra Reddi. |
| 25. The Zamindar of Singampatti. | 58. Rao Bahadur Sir A. P. Patro. |
| 26. The Subadar-Major S. A. Nanjappah Bahadur. | 59. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 27. Rao Bahadur O. M. Narayanan Nambudripad. | 60. Mr. P. T. Rajan. |
| 28. Mr. T. M. Narayanaswami Pillai. | 61. " T. K. Chidambaranatha Mudaliyar. |
| 29. " N. Siva Raj. | 62. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 30. " M. V. Gangadhara Siva. | 63. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 31. Rao Sahib L. C. Guruswami. | 64. Rao Bahadur B. Muniswami Nayudu. |
| 32. Mr. V. I. Muniswami Pillai. | 65. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 33. " W. P. A. Soundara Pandia Nadar. | 66. Mr. K. Sarabha Reddi. |
| | 67. Kumararaja of Venkatagiri. |
| | 68. Mr. A. V. Bhanoji Rao. |

Noes.

- | | |
|-----------------------------------|------------------------------------|
| 1. Mr. J. A. Saldanha. | 11. Mr. C. Ramasamayajulu. |
| 2. " Abdul Hamid Khan. | 12. " Basheer Ahmad Sayeed Sahib. |
| 3. " C. S. Govindaraja Mudaliyar. | 13. Sriman Biswanath Das Mahasayo. |
| 4. " G. Hariservottama Rao. | 14. Mr. R. Srinivasa Ayyangar. |
| 5. " C. N. Muthuranga Mudaliyar. | 15. " K. Koti Reddi. |
| 6. " K. V. R. Swami. | 16. " L. K. Tulasiram. |
| 7. " D. Narayana Raju. | 17. " C. Marudavanam Pillai. |
| 8. " Dr. B. S. Mallayya. | 18. " K. V. Krishnaswami Nayakar. |
| 9. " K. R. Karant. | 19. " K. Madhavan Nayar. |
| 10. " C. Obi Reddi. | 20. " K. S. Sivasubramania Ayyar. |

Ayes 68. Noes 20.

30th January 1929]

The closure motion was carried.

The hon. the PRESIDENT :—"The question is that the consideration of 3-30 the Madras University (Amendment) Bill be postponed." p.m.

The question was put to the House and declared lost.

Mr. Basheer Ahmad Sayied demanded a poll and the House divided thus :—

Ayes.

- | | |
|------------------------------------|------------------------------------|
| 1. Mr. Sami Venkatachellam Chetti. | 14. Mr. A. Prasuraama Rao. |
| 2. " S. Satyamurti. | 15. " C. Ramasomayajulu. |
| 3. " P. Anjaneyulu. | 16. " Basheer Ahmad Sayeed. |
| 4. " P. C. Venkatapati Raju. | 17. Sriman Biswanath Das Mahasayo. |
| 5. " J. A. Saldanha. | 18. Mr. A. Kaleswara Rao. |
| 6. " Abdul Hamid Khan. | 19. " R. Srinivasa Ayyangar. |
| 7. " C. S. Govindaraja Mudaliyar. | 20. " K. Koti Reddi. |
| 8. " G. Harisarvottama Rao. | 21. " L. K. Tulasiram. |
| 9. " K. V. R. Swami. | 22. " C. Marudavanam Pillai. |
| 10. " D. Narayana Raju. | 23. " K. V. Krishnaswami Nayakar. |
| 11. Dr. B.S. Mallayya. | 24. " K. Madhavan Nayar. |
| 12. Mr. K. R. Karant. | 25. " K. S. Subrahmanya Ayyar. |
| 13. " C. Obi Reddi. | |

Noes.

- | | |
|--|--|
| 1. The hon. Sir Norman Marjoribanks. | 33. Mr. W. P. A. Soundara Pandia Nadar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 34. " S. Subrahmanya Mooppanar. |
| 3. " Mr. T. E. Moir. | 35. " Daniel Thomas. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 36. " S. V. Vanavudaya Goundar. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 37. " S. Venkiah. |
| 6. " Mr. S. Muthiah Mudaliyar. | 38. Kai Sahib M. Hampayya. |
| 7. " Dr. P. Subbarayan. | 39. Rao Sahib R. Srinivasan. |
| 8. Dr. (Mrs.) S. Muthulakshmi Reddi. | 40. Mr. F. E. Corley. |
| 9. Diwan Bahadur P. Kesava Pillai. | 41. " W. E. Smith. |
| 10. Mr. Alladi Krishnaswami Ayyar. | 42. " C. E. Wood. |
| 11. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur. | 43. " F. E. James. |
| 12. Mr. H. A. Watson. | 44. " R. J. C. Robertson. |
| 13. " C. A. Sontar. | 45. " H. F. P. Hearson. |
| 14. " S. H. Slater. | 46. " S. N. Dorai Raja. |
| 15. " A. McG. C. Tampoe. | 47. " S. Arpudaswami Udayar. |
| 16. " C. W. E. Cotton. | 48. " K. Ramachandra Padayachi. |
| 17. " V. Ch. Jothi. | 49. " G. R. Premayya. |
| 18. " M. A. Manikkavelu Nayakar. | 50. Swami A. S. Sahajanandam. |
| 19. " Syed Tajuddin Sahib. | 51. Mr. V. Ramjee Rao. |
| 20. " A. B. Shetty. | 52. " Obavadi K. Subrahmanyam Pillai. |
| 21. " J. Bheemayya. | 53. " C. Gopala Menon. |
| 22. " R. Foulkes. | 54. " B. Ramachendra Reddi. |
| 23. " P. J. Gnanavaram Pillai. | 55. Sir A. P. Patro. |
| 24. " Mahmud Sohamnad Sahib. | 56. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 25. The Zamindar of Singampatti. | 57. Mr. P. T. Rajan. |
| 26. Subadar-Major S. A. Nanjappa Bahadur. | 58. Rao Bahadur S. Ellappa Chettiyar. |
| 27. Rao Bahadur O. M. Narayanan Nambudripad. | 59. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 28. Mr. T. M. Narayanaswami Pillai. | 60. Mr. Muhammad Khadir Mohidin Sahib. |
| 29. " N. Siva Raj. | 61. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 30. " M. V. Gangadhara Siva. | 62. Rao Bahadur B. Muniswami Nayudu. |
| 31. Rao Sahib L. C. Guruswami. | 63. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 32. Mr. V. I. Muniswami Pillai. | 64. Mr. K. Sarabha Reddi. |
| | 65. Kumararaja of Venkatagiri. |
| | 66. Mr. A. V. Shanaji Rao. |

Ayes 25. Noes 66.

The motion was lost.

[30th January 1929]

The hon. the PRESIDENT :—"Dr. Mallayya has sent me a slip containing a motion which reads as follows :—

'Let all amendments be put to the vote of the House *en bloc* and declared carried.'

"I say that no such motion is admissible."

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put and carried :—

Class II—Other Members.

Sub-clause (ii).

Third proviso.

In line 2, for the figure '(i)', substitute the letter '(a)'

Sub-clause (iii).

In line 2, omit the words 'under the preceding sub-section.'

In lines 3 and 4 for the words 'University authorities', substitute the words 'Authorities of the University'.

Clause 23.

In items (d), (e) and (f) for the words 'constituent and affiliated colleges' substitute the words 'constituent, affiliated and oriental colleges'.

Item (e).

In line 2, for the word 'between' substitute the word 'among'.

Sriman BISWANATH DAS Mahasayo :—"I beg to move the amendment, standing against my name as follows :—

Item (g).

"In line 3, after the words 'Oriental learning' add the words 'Indian system of medicine'."

* The hon. the PRESIDENT :—"The hon. Member has moved another amendment regarding the inclusion of the Indian system of medicine. There was already a vote of the House on an amendment relating to the same subject. May I know if there is any distinction between that amendment and this amendment?"

Sriman BISWANATH DAS Mahasayo :—"That is different in the sense that the present amendment proposes to include the Indian system of medicine not in research work but in the faculties."

* The hon. the PRESIDENT :—"The amendment is in order."

* Sriman BISWANATH DAS Mahasayo :—"Sir, my amendment is simple. It proposes to include the Indian system of medicine as one of the faculties in the Madras University. I think that was the aim with which the Government began to encourage the Indian system of medicine. An elaborate enquiry was instituted and the Indian School of Medicine was started. The Usman Committee also laid down very definite recommendations as to how

30th January 1929] [Sriman Biswanath Das Mahasayo]

Indian universities might encourage this science. I do not want to waste the time of the House by going into the reasons and citing authorities. I have found that reasons always do not weigh more than party considerations with most of the hon. Members. This is a very plain thing and if you hon. Members of this House want to encourage the Indian system of medicine and if you want that the study of the system be undertaken by our universities, I think that you could do nothing more than voting for this amendment."

Mr. G. HARISARVOTTAMA RAO:—"I have very great pleasure in seconding the amendment. I feel that wisdom has dawned even late on the hon. the Minister in charge of the Bill. Indian medicine has so often arrested the attention of the Treasury Bench. Even to-day there was a great discussion on this subject to include it in the faculties of the University of Madras, and that is the only thing which the Government can do at the present stage. It should have found a place in research. Anyhow it is over and I do not want to waste the time of this Council on that point now. But so far as its inclusion in the faculties is concerned, I think there should be absolutely no objection. If there is a sincerity to develop the Indian system of medicine, they must without hesitation accept this amendment and agree to work the Act by giving encouragement to the Indian system of medicine by including it in the faculties."

The hon. Dr. P. SUBBARAYAN:—"I have no objection to accept the amendment."

The amendment was put to the House and carried.

The following amendment standing in the name of the hon. Dr. P. Subbarayan was put to the vote and carried:—

Item (h).

'For the words "University Laboratories, University libraries, University institutes of Research, hostels instituted by the University, constituent colleges instituted by the University" substitute the words "University laboratories, libraries and institutes of research, constituent colleges and hostels instituted by the University."'

Item (j).

The hon. Dr. P. SUBBARAYAN:—"I beg to move the amendment standing against my name as follows:—

'In line 4 after the word "thereon" at the end, add the word "and"'. This is merely a drafting amendment. I formally move it.'

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN:—"I beg to move the amendment standing against my name—

Item (k).

'Omit item (k) and reletter item (l) as (k).'

"Sir, powers have been given to the Board of Studies for appointing examiners. Hence I move for the omission of this clause."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

[30th January 1929]

The hon. Dr. P. SUBBARAYAN:—"I beg to move—

Item (l).

'In item (k) as so relettered in line 3, for the words "representing the affiliated colleges", substitute the words "who are principals or teachers of affiliated colleges".'

"Sir, section 24 (k) as relettered provides that not less than one-third of the members of the Standing Committee shall be members representing affiliated colleges. It is desirable to specify the members representing those colleges. Only principals or teachers in colleges can come under the category of members representing affiliated colleges—vide section 23 (1), class I (5) and (6) and class II (3) and (4)."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

Clause 24.

* Sriman BISWANATH DAS Mahasayo:—"I beg to move—

'In line 5 after the words "Oriental Learning", add the words "Indian System of Medicine."'

3-45
P.m.

"Sir, this amendment proposes nothing more than to give effect to the amendment that was just accepted so generously and nobly by the hon. Minister in charge. Sir, unless you force the executive to adopt a certain course of action we have found from our sad experience that they are not willing to do so. The idea of encouraging this system of medicine was conceived in 1922. A committee was appointed which toured throughout India and after an elaborate investigation submitted a report in 1923, after due consideration of which the Government started the Indian School of Medicine. They also desired that the local bodies should give encouragement to this system. Since then five years have elapsed and no further step has been taken in the matter. If the House is really anxious to encourage this system and if the hon. Minister really means to give it a status in the University so necessary for the growth of the science, he ought really to accept this amendment after so recently accepting another amendment to the same effect."

The hon. the PRESIDENT:—"I should like to discourage loud conversations across the table which cause great inconvenience."

Sriman BISWANATH DAS Mahasayo:—"I think, Sir, we will have to force the hands of the hon. Minister and make him accept this amendment."

Mr. K. R. KARANT:—"I second it."

* The hon. Dr. P. SUBBARAYAN:—"Sir, I am afraid I cannot accept this amendment. This does not come in the same category as the previous amendment which I accepted. This amendment, if passed into law, will mean that the University should at once constitute a faculty of Indian Medicine, which I do not think will be possible at present. We have already passed a clause by which a member representing Indian medicine may be put on the faculty of Oriental Learning. I think the University will be prepared to do that. We should not in any way make the work of the University bodies difficult. Under these conditions, I think I have to oppose the amendment."

30th January 1929]

* Mr. BASHEER AHMED SAYEED:—"Sir, I am unable to follow the hon. Minister. We have already passed an amendment to the effect that the Academic Council shall have the power to constitute faculties including Indian system of medicine as well. Then it logically follows that the University should have faculties of arts among which the Indian system of medicine is one. I do not see how by the acceptance of this amendment the University will be called upon to constitute such a faculty at once. Nor does it seem to me to follow from the argument of the hon. Minister. His position is entirely untenable. This amendment is only a logical corollary of the one already passed. This attempt of the Minister seems to me to be only another way of getting out of what the Council has already passed. I therefore urge upon the House to accept this amendment, and not to be misguided by the Minister."

* Mr. G. HARISARVOTTAMA RAO:—"Sir, I am particularly sorry that the learned Minister should say that this motion would be handicapping the work of the University. He said that Indian medicine might be represented on the faculty of Oriental Learning. I do not know whether he does not understand it or has not attempted to understand it or pretends not to understand it. Indian medicine cannot be clubbed with Oriental Learning. It is a living science and art, and has to compete with Western medicine. It requires fresh sources of strength. The hon. Minister said that Indian medicine was not competent to have a faculty of its own. It contains three branches, the Siddha, Unani and Ayurvedic systems, with their own theories and practices. These three put together ought to constitute a faculty in a progressive university; otherwise it would be a mere farce to accept the previous amendment [item (g)] and object to the present one."

* The hon. the PRESIDENT:—"I have already remarked that loud conversations across the table cause great inconvenience to the speakers and also to the President in following the speakers. I repeat the warning and I hope it will be respected in future."

Mr. G. HARISARVOTTAMA RAO:—"It is not right for the hon. the Minister to tell us at the dictation of the Advocate-General who is at best only an expert in law, that a representative of Indian medicine might not be included in the faculty of Oriental Learning."

Mr. ALLADI KRISHNASWAMI AYYAR:—"On a point of order, Mr. President, I never said so."

* The hon. the PRESIDENT:—"It is not a point of order; it is only a personal explanation."

Mr. G. HARISARVOTTAMA RAO:—"I am prepared to take the explanation of the Advocate-General though it has been given in a faltering manner."

"I have to say that the hon. the Minister's advisers either in Law or in Medicine are wrong. They do not know the intensity of feeling in the country over this question. They do not know the importance to this country of this system of medicine. I can even refer to that autocrat of to-day who sits on the Treasury Bench, the hon. Sir Usman. He is an authority; but probably his vote is tied. It is a pity that the Minister who claims to be ruling in the name of the people should tell us that this subject

[Mr. G. Harisarvottama Rao]

[30th January 1929]

cannot have a faculty of its own. It is a woeful admission of his ignorance of the systems of medicine in this country. I appeal to the House to accept the amendment."

Mr. L. K. TULASIRAM:—"Sir, the words, 'the Indian system of medicine' ought to be added to clause 24, because this clause relates to the several faculties of this University. We add the faculty of Indian medicine to the list. When once the Chief Minister was so generous as to allow the Academic Council to create this faculty, it follows that the University should also have the power of starting the faculty of Indian system of medicine. It is very consistent and natural. When a small body like the Academic Council has that power, the bigger body should also have the power to establish a faculty of Indian medicine. When the supreme body has not got the power, the subordinate bodies cannot also have it. It is logical, legitimate, consistent and proper that if this is to be introduced anywhere, it is in clause 24 and not in any other place. I see no reason why the Chief Minister should fight shy of these two words."

The amendment was put to the House and declared carried. A poll was demanded and the House divided thus:

Ayes.

- | | |
|--------------------------------------|--|
| 1. Dr. (Mrs.) S. Muthulakshmi Reddi. | 21. Mr. C. Ramasamayajulu. |
| 2. Diwan Bahadur P. Kesava Pillai. | 22. Basheer Ahmed Sayeed Sahib Bahadur. |
| 3. Mr. G. Premayya. | 23. Mr. P. Bhaktavatsulu Nayudu. |
| 4. Swami A. S. Sahajanandam. | 24. Srikanth Biswanath Das Mahasayo. |
| 5. Mr. V. Ramjee Rao. | 25. Mr. A. Kaleswara Rao. |
| 6. " S. Satyamurti. | 26. " R. Srinivasa Ayyangar. |
| 7. " C. V. Venkataramana Ayyangar. | 27. " K. Koti Reddi. |
| 8. " P. Anjaneyulu. | 28. " L. K. Tulasiram. |
| 9. " P. C. Venkatapathi Raju. | 29. " C. Marudavanam Pillai. |
| 10. " J. A. Saldanha. | 30. " K. V. Krishnaswami Nayakar. |
| 11. Abdul Hamid Khan Sahib Bahadur. | 31. " K. Madhavan Nayar. |
| 12. Mr. C. S. Govindaraja Mudaliyar. | 32. " K. S. Sivasubramanya Ayyar. |
| 13. " G. Harisarvottama Rao. | 33. " A. Ranganatha Mudaliyar. |
| 14. " C. N. Muthuranga Mudaliyar. | 34. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 15. " K. V. R. Swami. | 35. Mr. Ramanath Goenka. |
| 16. " D. Narayana Raju. | 36. " R. Nagan Gowda. |
| 17. " K. Uppi Sahib. | 37. " K. R. Venkatarama Ayyar. |
| 18. " K. R. Karant. | 38. " K. P. Raman Menon. |
| 19. " C. Obi Reddi. | 39. " C. Gopala Menon. |
| 20. " A. Parasurama Rao Pantulu. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 14. Mr. C. W. E. Cotton. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 15. " V. Ch. John. |
| 3. " Mr. T. E. Moir. | 16. " M. A. Manikkavelu Nayakar. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 17. " A. B. Shetty. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 18. " J. Bheemayya. |
| 6. " Mr. S. Muthiah Mudaliyar. | 19. " J. A. Davis. |
| 7. " Dr. P. Subbarayan. | 20. " R. Foulkes. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 21. " P. J. Gnanavaram Pillai. |
| 9. Khan Bahadur Muhammad Bazul-ul-lah Sahib. | 22. Mahmud Schammad Sahib. |
| 10. Mr. H. A. Watson. | 23. The Zamindar of Singampatti. |
| 11. " C. A. Souter. | 24. Subadar-Major S. A. Nanjappah Bahadur. |
| 12. " S. H. Slater. | 25. Mr. T. M. Narayanaswami Pillai. |
| 13. " A. McG. C. Tampoe. | 26. " N. Siva Raj. |
| | 27. " M. V. Gangadhara Siva. |
| | 28. " L. C. Guruswami. |
| | 29. " V. I. Muniswami Pillai. |

30th January 1929]

Noes—cont.

- | | |
|--|--|
| 30. Mr. W. P. A. Soundara Pandia Nadar. | 44. Mr. P. T. Rajan. |
| 31. „ S. Subrahmanya Moopanar. | 45. „ T. K. Chidambaranatha Mudaliyar. |
| 32. „ Daniel Thomas. | 46. Rao Bahadur S. Ellappa Chettiyar. |
| 33. „ S. V. Vanavudaiya Gounder. | 47. Khan Bahadur S. K. Abdul Razaek Sahib Bahadur. |
| 34. „ S. Venkiah. | 48. Mohammad Khadir Mohideen Sahib Bahadur. |
| 35. Rao Sahib R. Srinivasan. | 49. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 36. Mr. F. E. Corley. | 50. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 37. „ W. E. Smith. | 51. Rao Bahadur B. Muniswami Nayudu. |
| 38. „ F. E. James. | 52. Mr. K. Sarabhareddi. |
| 39. „ E. J. C. Robertson. | 53. The Kumara Raja of Venkatagiri. |
| 40. „ H. F. P. Hearson. | 54. Mr. A. V. Bhanoji Rao. |
| 41. „ S. N. Dorai Raja. | |
| 42. Rao Bahadur Sir A. P. Patro. | |
| 43. Diwan Bahadur P. C. Ethirajulu Nayudu. | |

Ayes 39.

Noes 54.

The amendment was lost.

* The hon. the PRESIDENT :—“ Mr. Tulasiram has just handed to me 4 p.m. an amendment relating to line 4 of this clause. The Council has now disposed of an amendment in line 5 of the clause; therefore his amendment cannot be allowed under Standing Order No. 32 (3) which runs thus :— ‘ After a decision has been given on an amendment to any part of a clause or motion, no amendment which arises at an earlier point of the clause or motion shall be moved.’ I therefore disallow the amendment.”

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I move the following amendment :—

‘ In line 8, for the words “ Otherwise the ” substitute the word “ The ” and in line 9, after the words “ Faculties shall ”, insert the words “ in all other respects ”.’

This is only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Clause 28.

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I beg to move the following amendment :—

‘ In line 2, for the word “ For ” substitute the figure and word “ (i) for ”.

‘ In the new sub-clause (c) for the words “ affiliation with ” substitute the words “ affiliation to ”.’

It is only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Sub-clause (ii).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I move the following amendment :—

‘ For sub-clause (ii), substitute the following sub-clause, namely :—

‘ (ii) clauses (e) and (m) shall be omitted and clauses (f), (g), (h), (i), (j), (k), (l) and (n) re-lettered as (e), (f), (g), (h), (i), (j), (k) and (l) respectively.’

This is only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

[Dr. P. Subbarayan]

[30th January 1929]

Clause 28—cont.

Sub-clauses (iii) and (iv) and new sub-clause (v).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I beg to move the following amendment :—

‘ Omit the word “ and ” at the end of sub-clause (iii); insert that word at the end of sub-clause (iv) and after sub-clause (iv) insert the following sub-clause, namely :—

“ (v) in clause (k) as so re-lettered, after the word ‘ graduates ’ at the end, the word ‘ and ’ shall be added.”

It is again a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I beg to second it.”

The amendment was put and carried.

Clause 29.

Sub-clause (i).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I move the following amendment :—

‘ For the words “ and the other sub-sections re-numbered accordingly,” substitute the words and figures “ and sub-sections (3) to (6) re-numbered as (1) to (4) respectively.”

It is again only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Clause 30.

Sub-clause (iv).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I beg to move the following amendment :—

‘ In line 4, after the word “ and ” insert the words “ before the words ‘ for tutorial and supplementary instruction ’ the word ‘ and ’ shall be inserted.”

This amendment is consequential to the amendment carried to clause 30, sub-clause (4) of this Bill.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Sub-clause (v).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I move the following amendment :—

‘ In line 2, for the words “ and affiliated ” substitute the words “ affiliated and oriental ”.

This again is due to the oriental colleges being brought under the scope of the Bill.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

(Mr. Basheer Ahmad Sayeed rose from his seat while the hon. the President was putting the amendment to the House.)

* The hon. the PRESIDENT :—“ The hon. Member must know that no member can rise in his place while the President is on his legs.”

30th January 1929]

The amendment was put and carried.

Clause 31.

The hon. Dr. P. SUBBARAYAN :—" Sir, I move the following amendment :—

' In line 3, insert the figure " 32 (1) " before the words " In making ordinances " . '

This is to rectify a clerical mistake."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it."

The amendment was put and carried.

Clauses 31-A to 40.

The hon. Dr. P. SUBBARAYAN :—" I beg to move, Sir, the following amendment :—

' Clauses 31-A, 32, 33, 34, 35, 36, 37, 38, 39 and 40 shall be re-numbered as 32, 33, 34, 35, 37, 38, 39, 40, 41 and 43 respectively. '

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it, Sir."

The amendment was put and carried.

Clause 31-A.

The hon. Dr. P. SUBBARAYAN :—" Sir, I beg to move the following amendment :—

' Re-number sub-clauses (i) and (ii) as (ii) and (iii) respectively and insert the following as sub-clause (i), namely :—

" (i) In sub-section (2), for the words ' recognized by the Senate ' the words ' recognized by the Syndicate ' shall be substituted. "

* The power to recognize the colleges, according to the amendment of the House which was carried, vests in the Syndicate under clause 19 (j) of the Act. Therefore it is necessary to substitute the word ' Syndicate ' for the word ' Senate ' ."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second the amendment."

Mr. BASHEER AHMAD SAYEED :—" Sir, the hon. Minister has simply moved the amendment. He did not give any reasons for this drastic change he seeks to make."

* The hon. the PRESIDENT :—" Is it a point of order ? "

* Mr. BASHEER AHMAD SAYEED :—" No, Sir. I want to oppose the amendment. The Senate is a larger and more representative body than the Syndicate. I should like to know what exactly are his reasons for moving such an amendment if he wants us to vote in his favour."

The amendment was put to the House and declared lost.

A poll was demanded and the House divided as follows :—

Ayes,

- | | |
|--------------------------------------|---|
| 1. The hon. Sir Norman Marjoribanks. | 5. The hon. Mr. M. R. Seturatnam Ayyar. |
| 2. " Khan Bahadur Sir Muhammad | 6. " Mr S. Muthiah Mudaliyar. |
| Usman Sahib Bahadur, | 7. " Dr. P. Subbarayan. |
| 3. " Mr. T. E. Moir. | 8. Dr. (Mrs.) Muthulakshmi Reddi. |
| 4. " Diwan Bahadur M. Krishnan | 9. Mr. Alladi Krishnaswami Ayyar. |
| Nayar. | |

[30th January 1929]

Ayes—cont.

- | | |
|---|--|
| 10. Khan Bahadur Muhammad Razul-ul-lah Sahib Bahadur. | 40. Mr. F. E. James. |
| 11. Mr. H. A. Watson. | 41. „ R. J. C. Robertson. |
| 12. „ C. A. Souter. | 42. „ S. N. Dorai Raja. |
| 13. „ S. H. Slater. | 43. „ K. Ramachandra Padayaachi. |
| 14. „ A. McG. C. Tampoe. | 44. „ G. R. Premayya. |
| 15. „ C. W. E. Cotton. | 45. Swami A. S. Sahajanandam. |
| 16. „ V. Ch. John. | 46. Mr. V. Ramjee Rao. |
| 17. „ M. A. Manickavelu Nayakar. | 47. „ A. Ranganatha Mudaliyar. |
| 18. Syed Tajuddin Sahib Bahadur. | 48. Diwan Bahadur K. N. Arogyaswami Mudaliyar. |
| 19. Mr. C. D. Appavu Chettiyar. | 49. Mr. Ramanath Goenka. |
| 20. „ A. B. Shetty. | 50. „ R. Nagan Gowda. |
| 21. „ J. A. Davis. | 51. „ K. R. Venkatrama Ayyar. |
| 22. „ R. Foulkes. | 52. „ K. P. Raman Menon. |
| 23. „ P. J. Gnanavaram Pillai. | 53. „ O. Gopala Menon. |
| 24. Mahmud Schammad Sahib Bahadur. | 54. „ B. Ramachandra Reddi. |
| 25. Zamindar of Singampatti. | 55. Rao Bahadur Sir A. P. Patro. |
| 26. Subadar-Major S. A. Nanjappa Bahadur. | 56. Diwan Bahadur P. O. Ethirajulu Nayudu. |
| 27. Mr. T. M. Narayanaswami Pillai. | 57. Mr. P. T. Rajan. |
| 28. „ N. Siva Raj. | 58. „ T. K. Chidambaranatha Mudaliyar. |
| 29. „ M. V. Gangadara Siva. | 59. Rao Bahadur S. Ellappa Chettiyar. |
| 30. Rao Sahib L. C. Guruswami. | 60. Khan Bahadur Abdul Razack Sahib Bahadur. |
| 31. Mr. V. I. Muniswami Pillai. | 61. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 32. „ W. P. A. Soundarapandia Nadar. | 62. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 33. „ S. Subrahmanya Moopanar. | 63. Rao Bahadur B. Muniswami Nayudu. |
| 34. „ Daniel Thomas. | 64. Mr. K. Sarabha Reddi. |
| 35. „ S. V. Vanavudaya Goundar. | 65. Kumararaja of Venkatagiri. |
| 36. „ S. Venkayya. | 66. Mr. A. V. Bhanoji Rao. |
| 37. Rao Sahib R. Srinivasan. | |
| 38. Mr. W. E. Smith. | |
| 39. „ F. E. Corley. | |

Noes.

- | | |
|-------------------------------------|------------------------------------|
| 1. Mr. S. Satyamurti. | 14. Mr. C. Obi Reddi. |
| 2. „ C. V. Venkataramana Ayyangar. | 15. „ C. Ramasamayajulu. |
| 3. „ P. C. Venkatapathi Raju. | 16. „ Basheer Ahmad Sayeed Sahib. |
| 4. „ J. A. Saldanha. | 17. „ P. Bhaktavatsulu Nayudu. |
| 5. Abdul Hamid Khan Sahib Bahadur. | 18. Sriman Biswanath Das Mahasaya. |
| 6. Mr. C. S. Govindaraja Mudaliyar. | 19. Mr. A. Kaleswara Rao. |
| 7. „ G. Harisarvottama Rao. | 20. „ R. Srinivasa Ayyangar. |
| 8. „ C. N. Muthuranga Mudaliyar. | 21. „ K. Koti Reddi. |
| 9. „ K. V. R. Swami. | 22. „ L. K. Tulasiram. |
| 10. „ D. Narayana Raju. | 23. „ G. Marudavanam Pillai. |
| 11. Dr. B. S. Mallayya. | 24. „ K. V. Krishnaswami Nayakar. |
| 12. K. Uppi Sahib Bahadur. | 25. „ K. Madhavan Nayar. |
| 13. Mr. K. R. Karant. | 26. „ K. S. Sivasubrahmanya Ayyar. |

Ayes 66.

Noes 26.

The amendment was carried.

Clause 32.

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I beg to move the following amendment :—

“ For clause 32, substitute the following clause, namely :—
 ‘ 33. In section 36 of the said Act—

- (i) In sub-section (1) for the word “ Madras ” the words “ the University of Madras ” shall be substituted ; and
- (ii) In sub-section (2) for the words “ constituent college or of an affiliated college ” the words “ constituent, affiliated or oriental college ” shall be substituted.”

30th January 1929]

[Dr. P. Subbarayan]

This is only to bring the oriental colleges under the provisions of the Act and also to make the wording of the section better by having the words 'the University of Madras' for the word 'Madras.'"

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

Clause 33.

The hon. Dr. P. SUBBARAYAN :—"I move :

"In line 6, for the word 'body' substitute the word 'electorate' and for the word 'appointed' substitute the word 'nominated'."

4-15
p.m.

This is to use the same word as is found in the Act."

It was duly seconded.

The motion was put and carried.

Clause 34.

The hon. Dr. P. SUBBARAYAN :—"I beg to move :

'After clause 34 insert the following clause, namely :—

"In section 40 of the said Act, after the words 'any degree' the word 'title' shall be inserted."

This has been done even before."

It was duly seconded.

* Mr. BASHEER AHMAD SAYEED :—"In this, Mr. President, the Minister seeks to insert a new clause which was not considered in the Select Committee apparently. I do not know, Mr. President, whether he is entitled to introduce altogether a fresh clause at the third reading without the same having gone through the usual course. I consider this is entirely out of order."

Mr. S. SATYAMURTI :—"On a point of order, Mr. President."

The hon. the PRESIDENT :—"Let us also have some variation."

* Mr. S. SATYAMURTI :—"I submit this for your examination and ruling, Sir, . . ."

* The hon. the PRESIDENT :—"Am I to understand that the hon. Member does not himself feel the force of his point?"

Mr. S. SATYAMURTI :—"I do feel, Sir, but I have not made up my mind."

* The hon. the PRESIDENT :—"The hon. Member says he has not made up his mind. I do think that I am bound to give a ruling before the hon. Member has made up his mind."

Mr. S. SATYAMURTI :—"If I make up my mind I feel the ruling should be against me. I feel it is prima facie . . ."

* The hon. the PRESIDENT :—"I am not concerned with the point of order if the hon. Member does not raise it seriously."

Mr. S. SATYAMURTI :—"I make it seriously, but I have not made up my mind that it is a point of order lest the ruling should be against me."

* The hon. the PRESIDENT :—"Suppose I have agreed with the hon. Member, will he then be sorry?"

Mr. S. SATYAMURTI :—"No, I shall be glad. (Laughter.)

[Mr. S. Satyamurti]

[30th January 1929]

" Clause 33 of the Bill states ' For section 38 of the said Act, the following section shall be substituted, etc.' Then, Sir, the next clause of that Bill is: ' For section 42 of the said Act, etc.' That goes on to deal with section 42 of the Act of 1923. This new clause which my hon. Friend wants to insert is a clause following section 40 of the Act of 1923. That section deals with removal from membership of the University. The point which I desire to submit for your ruling is this. First of all, it is not open to this House or to the Select Committee to deal with the clauses of the Act not touched by amending Bills. The hon. the Chief Minister's amending Bill did not touch section 40 of the University Act of 1923 as such, and there was no amendment put before the House or considered by the Select Committee, so far as section 40 of the Act is concerned. Now for the first time my hon. Friend suggests the introduction of a new clause in a section which was not sought to be amended by his original amending Bill or by the Select Committee or by this House in the second reading . . . "

* The hon. the PRESIDENT :—" To put it short, the hon. Member's point is that section 40 of the Act deals with the removal of members, that the principle involved in it was not in the original Bill of the Chief Minister, nor was it examined by the Select Committee, and that for the first time he is introducing it in the shape of an amendment."

The hon. Dr. P. SUBBARAYAN :—" I withdraw."

The amendment was by leave withdrawn.

The hon. Dr. P. SUBBARAYAN :—" I move—

' In line 6, for the words " in the Act " substitute the words " in this Act."

This is a verbal amendment."

The motion was duly seconded, put and carried.

Clause 39.

The hon. Dr. P. SUBBARAYAN :—" I move:

' After clause 41 as so renumbered, insert the following clause, namely :—

42. Rules as to the management of the affiliated college fund made under section 54 of the said Act shall be deemed to be statutes under the said Act as amended by this Act, and shall continue to be in force as such till they are replaced by such statutes.'

" Although the Council of Affiliated Colleges has ceased to exist under this Bill, provision has to be made with regard to the management of the fund and hence this amendment."

* Mr. S. SATYAMURTI :—" I have got some difficulty in this matter. The section relating to the affiliated college fund has been repealed by clause 37 of the Bill which says section 54 of the said Act shall be omitted. If the section which gave the power to the Senate to create the affiliated college fund and make rules as to its management, if that section is repealed, I take it that the constitutional consequence is that all the Acts done in pursuance of the power vested in particular bodies under that section must cease hereafter, until we find another authority or set of rules created for the purpose of administering the fund. My hon. Friend the Minister's amendment simply says that the rules shall be deemed to be statutes made under this Act. My difficulty is this. What are those rules? Can we by some referential legislation as it were make into statutes rules the existence or nature of which this Council has no

30th January 1929]

[Mr. S. Satyamurti]

knowledge of? You will notice, Mr. President, that the Minister makes a statement that there are certain rules made and invites the House to give those rules statutory authority until they are replaced by statutes to be made, I take it, under this Act. My position is this. This House is accustomed to approve of rules placed before it, either by a section of the Act itself or by schedules annexed to it, that the rules framed hereafter shall have statutory power or in the alternative the House is quite familiar with giving power to Government to frame rules thereunder. But here we have an extraordinary procedure that a set of rules exists somewhere made by an authority under a section of the Act which has now been repealed, and the house is invited to approve all these rules. Is it in order to call upon this House to approve the rules the existence of which the House has no knowledge of? Moreover, I am in a difficult position in the absence of the Education Minister and his legal adviser the Advocate-General. To ask this House to give inferential statutory approval is, I say, not proper legislation. Moreover, we cannot give these rules the same position as statutes for the making of which elaborate provisions are to be observed. These statutes are to be made either by the Senate at the initiative of the Syndicate, or a member. Once they are made they have to be sent to the Vice-Chancellor for approval and it is only with the approval of the Chancellor such decisions become statutes. It seems to me inconsistent with the whole scheme of statutes under the University Act, that rules made with regard to a small fund for its management should become statutes and further this section also provides, Mr. President, that the rules with regard to the management of a fund cannot be altered or managed except by a fresh, elaborate process of amending the statutes."

* The hon. the PRESIDENT :—"I wish to know whether the question of making any rules as to the Affiliated College Fund is within the scope of the Bill introduced in the Council."

Mr. S. SATYAMURTHI :—"I am obliged to you for drawing my attention. When the motion for the omission of section 54 was made, undoubtedly the attention of the House was not drawn, to the best of my recollection, to any rules having been made or contemplated to be made. I therefore, with due deference to you, raise the point of order that the whole question of their statutory validity cannot be ex post facto raised at this state. I submit this for your consideration and ruling."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"Mr. President, Sir, there are two points raised by the hon. Member for the University :—(1) A point of order based on the ground that the subject matter of the clause was not before the House in the earlier stages ; (2) there is no purpose served by the clause as the Council of Affiliated Colleges has been abolished."

"There is nothing in the first point. With regard to the second point section 54 was before the House. If that section is repealed it is germane to the consideration of that repeal to deal with the allied question as to what is to become of the Affiliated College Fund, and the rules which are in force with regard to the Affiliated College Fund."

"It is not correct to say that the whole of section 54 is repealed. As a matter of fact in another section provision is made for the Senate having the power to make regulations or rules with regard to Affiliated College Fund. Sub-clause (2) of clause 17 runs thus: The Senate has the power 'to create and manage an Affiliated College Fund and make statutes therefor.' Though the Council of Affiliated Colleges goes out, the Affiliated College Fund does

[Mr. Alladi Krishnaswami Ayyar] [30th January 1929]

not really go out. It is not right to say that the whole of section 54 is repealed. Section 54 as it stood, ran thus :

‘The Senate may on the recommendation of the Council of Affiliated Colleges and subject to the approval of the Chancellor, create an Affiliated College Fund and make rules as to its management.’

“Only the recommendation of the Council of Affiliated Colleges goes out, because among the general powers of the Senate, there is a provision to the effect that the Senate shall have the right to have an Affiliated College Fund. Strictly speaking, the whole of section 54 has not been repealed, but it is really the portion “on the recommendation of the Council of Affiliated Colleges and subject to the approval of the Chancellor” that has been repealed. Therefore, it was thought, as a matter of drafting, that it was unnecessary to repeat it here. I should certainly think that so far as the first point is concerned, the whole question was before the House and the question as to whether the Affiliated College Fund has to go out is before the House. Secondly, what was to become of the Affiliated College Fund, was also before the House. Then, which is the authority which has to deal with the Affiliated College Fund? That is before the House, because the Senate is given the power to make statutes in regard to the Affiliated College Fund.

“Therefore, I respectfully submit to the Chair, that so far as the first point is concerned, it was not before the House. As regards the other point, I take a different view and it seems to me to be unnecessary to have the present clause itself. For example, if a particular clause is repealed under the General Clauses Act, whatever rights and whatever machinery that then exist, will continue to be in work. The Senate has got the power to make statutes. The Senate can to-morrow make necessary rules for the purpose of regulating the Affiliated Colleges Fund. I should think that there is no necessity to have this new clause that is now sought to be introduced. At any rate, there is no harm in having it because it is merely *ex abundante cautela*. No doubt the Senate has got a right to constitute an Affiliated Colleges Fund for the future. I take it that the object of the amendment now sought to be introduced is to provide for the interregnum, to see that there is no dead-lock. The House has already acceded to the continuance of the Affiliated College Fund. The intention of the framers of the amendment is to provide for the interim period. It is impossible to take the view that the question of the Council of Affiliated Colleges was not before the House, simply because you repealed one section and put in another section and that the various sections relating to that were not before the Select Committee. I have not had the advantage of being present at the earlier stages of the discussion, but that is what occurs to me.”

* Mr. S. SATYAMURTI :—“I do not know if, in the light of the second part of the remarks of the hon. Advocate-General, the hon. Minister is going to withdraw his amendment. If he proposes to do so, I do not propose to address you. On the point of order, Mr. President, I am afraid that, with all my great respect for the profound knowledge of law which the Advocate-General, I know, possesses, I cannot really postulate with equal vehemence that it is impossible to take the other view. The other view, I submit, is completely tenable. On the ground that the question of the repeal of the Affiliated College Fund was before this House, you will remember, you were good enough to suggest whether the question of the rules to be made for the management of that fund under that section was before the House at any

30th January 1929]

[Mr. S. Satyamurti]

previous stage. I submit, after having listened very carefully to the argument from my hon. Friend the learned Advocate-General, that I still feel that the question of the rules for the management of the Affiliated College Fund was not before the House at any of its stages. Sir, you will notice that the two relevant sections are sub-clause (2) of clause 17, which merely gives power to the Senate inter alia to create and manage an Affiliated College Fund, and section 37 which repeals completely section 54 of the Act. Therefore while these two sections taken together contemplate these two things, namely, the abolition of the fund and the power to make rules for its management on the one hand, and on the other, giving the senate, as the supreme governing authority of the university further to make statutes for the management of the fund, the question of the rules as such was not before the House at any stage, so far as I remember. Therefore, my point of order, which I submit for your consideration of the House is this."

* The hon. the PRESIDENT:—"The question is, when you are repealing a section, the rules made under it to control the funds that were raised under it are also by implication, for the consideration of the House, because the select committee will have to examine where actually provisions were made to give effect to the intentions of the repealing section and whereafter you repeal, you have to provide for all the fees, how to levy the fees, with whom they should vest and how they should be managed. That is also a matter for consideration, because the whole section has to be repealed."

MR. S. SATYAMURTI:—"That is a question of fact, Mr. President. As a matter of fact, at no time I was informed of this either by this hon. House or by the select committee of any rules having been made, the repeal of which was contemplated by this section."

* The hon. the PRESIDENT:—"I do not think we are not considering facts. Here is section 54 contemplating the creation of an Affiliated College Fund. That section is being repealed and therefore as to what has become of the fund raised under section 54 is also a matter connected with section 54. I therefore think that this is within the scope of the amending Bill."

* MR. S. SATYAMURTI:—"I merely want to dot the i's and cross the t's of the statement of the hon. and learned Advocate-General. He has given a complete answer against the continuance of this section on the statute book. If really it is clear—and I take it it is clear—I entirely agree with him that such machinery as may have been created for the management of this fund will naturally continue. Moreover, the section to which attention has been drawn, namely, section 17 (20), reinforces my point. As a matter of fact, there is no lacuna in the Bill at all. There is the statutory provision for the Senate which is the supreme statutory body to make statutes for the management of this fund. *Ex abundante cautela* may sometimes be used as an argument for justifying sections in a statute. The statute has already been passed and you must take it as a case in which the authors of the statute have put in that as a matter of abundant caution. When you are making a statute, it seems to me an unsound and weak argument to try to justify the clause, although you are convinced that it is *ex abundante cautela*. This is no doubt a weak argument advanced by the hon. the Chief Minister if he thinks that this clause must remain. I am sure he has been convinced as I am convinced by the speech of the hon. Advocate-General, that there is no need for this clause. In these circumstances, I want to ask the Chief Minister to consider whether he would withdraw it."

[30th January 1929]

The hon. Dr. P. SUBBARAYAN :—" In view of what the hon. and learned Advocate-General has said I beg to withdraw this amendment with the permission of the House."

* The hon. the PRESIDENT :—" The hon. Member has no right of reply, I think."

The hon. Dr. P. SUBBARAYAN :—" I was only going to say that I was going to withdraw."

The amendment was by leave withdrawn.

The Schedule.

The hon. Dr. P. SUBBARAYAN :—" I move—

' that in rule 1 of the schedule, for the words and figures " not later than the 31st March 1930 " substitute the words and figures " not later than the 31st day of March 1930 " . '

This is only a drafting amendment."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it, Sir."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—" I move

*In rule 2 of the schedule in the second proviso, in line 1, for the word " however " substitute the word " also ", and after the same proviso, insert the following further proviso, namely :—
' Provided also that no election shall be held in the case of vacancies which would have had to be filled up by election by the Council of Affiliated Colleges under the said Act . '*

" This is necessary in view of the proposal to abolish the Council of Affiliated Colleges."

* Mr S. SATYAMURTI :—" I should like to ask my hon. Friend, the Chief Minister, if this is absolutely necessary I want to remind him, Sir, that yesterday an election was held to the Syndicate from the Council of Affiliated Colleges and Mr. Nilakanta Sastri was elected. Supposing some vacancy arises between now and the 31st March 1930, I do not see why an election should not be held to fill up the vacancy which will have to be filled up if the Council of Affiliated Colleges continues. I do not think there are really going to be very many difficulties and I do not want, Sir, that any statutory body created by this House should function with vacancies which will not be filled up. If it is a case of three months I would agree, but it is more than a year between now and 31st March 1930. I therefore appeal to my hon. Friend to withdraw this."

The hon. Dr. P. SUBBARAYAN :—" In view of what my hon. Friend has said, I have no objection to withdraw it, Sir."

The amendment was by leave withdrawn.

The hon. Dr. P. SUBBARAYAN :—" I move that—

' In rule 3 of the schedule in line 5, for the word " terms " substitute the word " term " . '

That is the word used in the rule and I only want to make it uniform."

The amendment was put to the House and carried.

30th January 1929]

The hon. Dr. P. SUBBARAYAN :—“ I move—

In rule 4 of the schedule, in line 4, for the figure “ (i) ” substitute the letter “ (a) ”.

This is a consequential amendment, Sir.”

The amendment was put to the House and carried.

The hon. the PRESIDENT :—“ We have disposed of the amendments. Now the hon. the Chief Minister’s motion that the Bill be passed into law is for the consideration of the House.”

* Mr. J. A. SALDANHA :—“ Sir, I am not sure whether I can congratulate the hon. the Chief Minister on the shape of the Bill as introduced by him and to the shape it has taken at the conclusion. Originally the Bill was brought forward not only to get rid of the Council of Affiliated Colleges but also to get rid of the development of university centres. In fact in the original Bill even the definition of “ University centre ” was omitted. The object of the Bill was to deprive it of the character given to it in the original Act, that is to create and foster university centres. But I am glad to say that that character has been maintained.”

* The hon. the PRESIDENT :—“ I am afraid the hon. Member is speaking about the Andhra University. (Loud laughter).”

* Mr. J. A. SALDANHA :—“ No, Sir. The object we have got in maintaining the university is attained. It is true we have got rid of the Council of Affiliated Colleges.”

* The hon. the PRESIDENT :—“ Is there anything in the Bill referring to the development of university centres ? ”

* Mr. J. A. SALDANHA :—“ The hon. the Chief Minister wanted practically to get rid of the university centres. In the original Bill even the definition of university centres was omitted.”

* The hon. the PRESIDENT :—“ The Bill as amended is for the passing of the Council. I do not think the original Bill as introduced can form the subject matter of discussion at this stage.”

* Mr. J. A. SALDANHA :—“ Well, Sir, I cannot congratulate the hon. Minister and I have given the reasons for it. I am glad that the House has boldly voted for sufficient compensation to make up for the abolition of the Council of Affiliated Colleges, by means of compensatory clauses. The representative of the University in this Council, though he was forcing the abolition of the Council of Affiliated Colleges, had made ample provision by means compensatory clauses, to give sufficient representation of Affiliated Colleges in the Senate and in the other bodies of the University. Even though a mistake was committed in the Bill originally in the select committee stage as to one point, now in the third reading this omission has been made good by an amendment which was allowed by the hon. the President and the House. With these words, Sir, though I do not congratulate the ministerial party, I congratulate the House in bringing about an Act which I believe would answer the expectations and wishes of the people at large.”

* Mr. BASHEER AHMAD SAYIED :—“ Mr. President, Sir, I rise to oppose the motion of the hon. the Chief Minister. I do so especially in view of the fact that all the amendments that were passed today have not been the result of much mature consideration and deliberation by the members of the House. Many of the members, Mr. President, were not able to follow the amendments that were being proposed from time to time by the hon. the

4-45
p.m.

[Mr. Basheer Ahmad Sayeed] (30th January 1929)

Minister. They had not got the original Act with them. Probably it was supplied to them or it was not. Even if it was supplied, they did not bring it with them to this House. And then, the amending Bill itself was not before them in its complete form and if the amending Bill was supplied to them it should have been supplied to them pretty long ago and the same should have been republished for the benefit of all. All the same, members did not have copies with them when these amendments were moved and supposed to be discussed. And then, the amendments themselves were so many and varied that they could not be followed. Besides, Mr. President, there are two or three vital facts on account of which this Bill should not be allowed to be passed into law so quickly as that. The representation of the registered graduates has not been enlarged. It is the same 30. Then with regard to certain outside bodies, some bodies were arbitrarily given some representation, whereas others were not. For instance, the Madras Chamber of Commerce and the South Indian Chamber of Commerce were given representation but the Andhra Chamber of Commerce was not given any representation. Then again, the way in which the hon. the Chief Minister has treated the question of the inclusion the Principal of the Indian School of Medicine as one of the ex-officio members of the academic Council, is deplorable. By a motion the hon. Members of the opposition sought that the system of Indian Medicine should be given its proper place in the amending Bill, but the Minister opposed it tooth and nail, until at last it was shown to him that the opposition resented his conduct very strongly and he had at last to yield, and when he yielded once, he wanted to go back upon his previous position. Mr. President, the character of the Bill to a large extent is changed by the amendments and the character of the original Act is still more changed. (At this stage, the Chief Minister was talking with another Member.)

* The hon. the PRESIDENT :—"I have to point out again that you are causing inconvenience both to the Chair and to the members of the House. (A voice :—"It is a chronic disease.")"

The hon. Dr. P. SUBBARAYAN :—"I apologise to the Chair, Sir."

* Mr. BASHEER AHMAD SAYEED :—"I was mentioning that in view of the fact that there were very large changes made in the original Bill at the second reading stage and also to-day at the third reading, it is very necessary and desirable that before the Bill is passed into law some time should elapse and it should be republished if rules allow it for the sake of the members of this Council or at least copies of the Bill as amended should be supplied to the members of the Council, before they can give an intelligent vote as to whether they really feel that the changes in this Bill were so necessary, and if necessary whether the Bill should be passed into law at all. So it is that I oppose this Bill. I am also sorry that several of the amendments which involved very good principles as their basis and which were moved by the opposition were not accepted simply because the Minister felt he had a very big majority and could vote down even the most reasonable amendment, which he thought was not acceptable to him. I therefore hope, Mr. President, that the Minister will not insist on the passing of this Bill into law so quickly as that, especially in view of the haphazard way in which we have gone through the amendments this morning and evening."

* Mr. S. N. DORAI RAJA :—"Mr. President, even now I am one of those who think that the abolition of the Council of Affiliated Colleges is a great blunder. It was due to sentiment. . ."

30th January 1929]

* The hon. the PRESIDENT:—"Order, order. I do not think hon. Members will be in order to reflect upon the vote of the House by referring to the various motions that were carried."

* Rajkumar S. N. DORAI RAJA :—"Sir, I congratulate the hon. the Minister for the skill with which he piloted this Bill through the Council against much opposition and obstruction. I congratulate him on this fact that the Academic Council was given the rightful place and was properly made the real academic authority of the University and on the other great improvements in the old Act."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I am particularly sorry that congratulations should have been showered upon the hon. the Minister for Education for the manner in which he has piloted this Bill through this House. At the third reading stage, Sir, we had eleven pages of amendments of which nine pages belonged to the hon. the Minister himself. At every stage during the passage of the amendments, wherever there was a substantial point that was raised, he had to yield to the opposition. (A voice:—"Friendly opposition".) It was a friendly opposition I agree, but a Minister in a responsible position when he brings forward amendments at the third reading stage, should bring in such amendments as are merely verbal and as are likely to be accepted by the whole House. He is not to bring in amendments, Sir, which require careful consideration, amendments which require time to think, and amendments on which a discussion would arise, more so when he has not made up his own mind as to the amendments that he should introduce. The fact that the Minister for Education conceded the points raised by the opposition time after time is proof positive that he did not devote any care to the drafting of the amendments that he proposed. Such a procedure is very strange and such a procedure can be tolerated only in an unfortunate country like this where Ministers rule with but three or four elected members at their back. It was time that the Ministers on the Treasury benches realized that they are responsible to their electorates, and to the country at large and desisted from asking us to pass legislation, to submit to their will and to sit idle when changes of an important character are being made, as in the present Bill, when they are riding rough-shod over the ordinary canons of legislative activity for any government. It is a wonderful feat that the hon. the Minister has performed in regard at any rate to one of the amendments that were moved. We are certainly not satisfied with the conduct of the Minister in the discharge of his duties. He has at his back a large number of votes for which we in the opposition can never be held responsible or for which the country can ever take any responsibility. And since he has such votes at his back, it must have been his desire to meet the opposition on all reasonable occasions. But in spite of that, on most vital matters that affect the country, on most vital matters that affect the national life of the Presidency, he was prepared to brush aside all reasonable opposition and exercise his strength, the strength that he possesses in virtue of the vote he has at his command."

* The hon. the PRESIDENT:—"The hon. Member will make a more relevant speech on the next occasion. The House will now adjourn and meet again at, 11 a.m. to-morrow."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

30th January 1929]

[Dr. P. Subbarayan]

"I may inform the House that the same proportion that is being observed in the subsidies that are being given will be observed in the case of subsidies to be given hereafter."

MR. C. RAMASOMAYAJULU :—"Sir, I do not want to oppose the grant of Rs. 85,000 ; but I want to express my sense of the inadequacy of the grant especially to the East Godavari district. Apparently the hon. the Minister

12-45 p.m.

The hon. DR. P. SUBBARAYAN :—"Sir, the hon. Member may not continue his speech if I tell him that the amount allotted in the grant is exactly the same as the President of the East Godavari District Board had telegraphed for and said he could spend this year. For next year we are making separate provision in the Budget."

MR. C. RAMASOMAYAJULU :—"I have no objection, Sir."

The demand was put to the House and carried and the grant was made.

V

A BILL FURTHER TO AMEND THE MADRAS CIVIL COURTS ACT, 1873.

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, I introduce a Bill * further to amend the Madras Civil Courts Act, 1873, and move that the Bill be taken into consideration at once."

The hon. MR. S. MUTHIAH MUDALIYAR :—"I second it."

* Rao Bahadur Sir A. P. PATRO :—"Sir, I have to oppose the motion for taking into consideration at once this Bill. It is a very important measure and it is highly desirable that the several aspects of it should be considered in the Select Committee. I move that the consideration of this Bill be postponed."

MR. T. K. CHIDAMBARANATHA MUDALIYAR :—"I second it."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I thought it was a simple matter, a mere technical Bill ; but since my hon. Friend objects to it, I have no objection to withdraw the motion and come forward with a motion later on for consideration of the Bill in a Select Committee."

The motion was by leave of the House withdrawn.

VI

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

The hon. DR. P. SUBBARAYAN :—"I move that the Bill to amend the Madras University Act be passed into law."

The hon. MR. S. MUTHIAH MUDALIYAR :—"I second it."

The hon. DR. P. SUBBARAYAN :—"Sir, the passing of this Bill into law was deferred last time in order to see whether any amendments were necessary to put the Bill into proper shape. I have accordingly given notice of several amendments which have been in the hands of hon. Members. Most of them are of a formal nature and I move them in the order given in the agenda.

Clause 1.

"I move that for the figures '1928' in line 2 the figures '1929' be substituted."

* Published in the *Port St. George Gazette* on 4th December 1928 as Bill No. 18.

[30th January 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put to the House and carried.

Clause 2.

Sub-clause (ii)

The hon. Dr. P. SUBBARAYAN :—" I move the following amendment :—

' In line 4 for the words ' *Madras University* ' substitute the words ' *University of Madras.* '

In line 7 omit the figures and word ' VIII of ' and insert the words and figures ' Act VIII of 1904 ' in the margin."

* The hon. the PRESIDENT :—" I do not think it is necessary. The Council does not make amendments to the marginal notes."

The hon. Dr. P. SUBBARAYAN :—" I agree to omit it, Sir. I move the next amendment also."

' In lines 7 and 8, for the words " *excluding such limits as have been or may be taken away* " substitute the words " *excluding such areas as may be taken away* "."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendments were put to the House and carried.

The hon. Dr. P. SUBBARAYAN :—" Sir, I next move the following amendment :—

" *Re-number sub-clauses (vi) and (vii) as (vii) and (viii) respectively and insert the following as sub-clause (vi), namely :—*

" *(vi) in clause (g), for the words ' constituent college or of an affiliated college ' the words ' constituent, affiliated or oriental college ' shall be substituted "*

" Sir, a difficulty may arise whether the definition of ' Teachers ' in clause 2 (j) and subsequent clauses will apply to oriental colleges. This difficulty may be overcome by inserting the words ' oriental colleges ' in the several clauses applicable to such colleges."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put to the House and carried.

Sub-clause (vii) as re-numbered.

The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

That in sub-clause (vii) as so re-numbered, in line 5, for the words " or affiliated colleges ", the words " affiliated or oriental colleges " be substituted.

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put to the House and carried.

Clause 4.

The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

That in new section 4-A, sub-clause (2), for the words " and maintain " the words " mantam and manage " be substituted."

" This amendment seeks to bring this sub-clause into line with other clauses."

30th January 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it"

The amendment was put to the vote and carried.

* The hon. the PRESIDENT:—"I think it will be convenient if the Opposition mentions to me to which clauses they desire to give their serious consideration."

Mr. K. R. KARANT:—"I think it is better that the whole Bill goes before the Select Committee once more; there are so many amendments."

Mr. G. HARISARVOTTAMA RAO:—"There is an extraordinary list of amendments."

* The hon. the PRESIDENT:—"Yes, eleven printed pages of amendments for the third reading of the Bill."

The following amendments were then put to the House one after another, and carried:—

Amendments.

Sub-clause (3).

For the words 'and affiliated colleges', substitute the words 'affiliated and oriental colleges'.

Sub-clause (5).

After the word 'degrees,' insert the words 'titles, diplomas and other academic distinctions'.

Sub-clause (6).

In line 1, after the word 'degrees', insert the words 'titles, diplomas, and

In line 4, for the words 'or in an affiliated college', substitute the words 'affiliated or oriental college'.

Sub-clause (8).

For sub-clause (8), substitute the following sub-clause:—

"(8) (a) to institute, maintain and manage constituent colleges, to recognize colleges not maintained by the University as constituent colleges, to allow colleges recognized by the University before the passing of this Act to continue to exercise the rights and privileges conferred on them by such recognition and any further rights conferred by or under this Act and to withdraw recognition from colleges;

(b) to approve institutions as oriental colleges, to allow institutions approved by the University before the passing of this Act to continue to exercise the rights and privileges conferred on them by such approval and any further rights conferred by or under this Act until such time as they may be transferred to other universities and to withdraw approval from institutions."

[30th January 1929]

Clause 5.

For sub-clause (i), substitute the following sub-clause, namely:—

“(i) for the words ‘creed or class’, the words ‘creed, class, or political views’ shall be substituted, and”.

Clause 7.

In lines 2 and 3, for the words ‘maintained or recognized’, substitute the words ‘maintained, recognized or approved’.

Clause 8.

Item (5).

In line 1, for the word ‘officers,’ substitute the word ‘persons’.

Clause 11.

Sub-clause (i).

In line 4, for the words ‘by Statutes’, substitute the words ‘by the statutes’.

Clause 13.

Sub-clause (1).

In the last line, for the word ‘Statutes’, substitute the words ‘the Statutes’.

Sub-clause (2).

* The hon. Dr. P. SUBBARAYAN:—

“In line 2, omit the words ‘by statutes’.”

Mr. S. SATYAMURTI:—“Sir, I find that the amendment is to omit the words ‘by statutes’. That will leave the words ‘as may be prescribed’ meaning thereby either by statutes or regulations or ordinances. No doubt this cannot be prescribed by regulations, because this is an academic matter. It may be prescribed by ordinances I object to that course. Ordinances are made by the Syndicate in the first instance, although the Senate has got the reserve power to repeal or amend such ordinances. I think that the statutory power to authorize the registrar to perform certain duties and confer certain powers on him should vest in the Senate which is the supreme governing body and which is the only authority which can make statutes. Otherwise, if this is removed, a mere executive body can vest the Registrar with several important powers and duties. I would, therefore, commend to the hon. Minister for Education the desirability of leaving the Act as it is without omitting the words ‘by statutes’. I see no reason why statutes cannot be made to regulate this rather important matter of vesting certain powers and duties in the Registrar.”

1 p.m. The hon. Dr. P. SUBBARAYAN:—“Mr. President, Sir, I have given notice of this amendment to give the same position to the powers of the Registrar as the powers of the Vice-Chancellor. The hon. Member will see that in section 12 (6) of the Act of 1923 it is stated that the Vice-Chancellor shall exercise such other power as may be prescribed. The Vice-Chancellor is a much bigger person than the Registrar. I thought, if the Vice-Chancellor can come under the ordinances, regulations and statutes why the

30th January 1929] [Dr. P. Subbarayan]

Registrar should not be brought under the same regulations, ordinances and statutes. That is why this amendment is brought forward."

The amendment was adopted.

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put one after another and carried:—

Clause 15—Class II—Life Members—Sub-clause (1).

In line 2, for the word 'appointed' substitute the word 'nominated'.

In line 4, after the word 'education' add the word 'and'.

Clause 15—Class III—Other Members.

Sub-clause (2).

In line 2, for the words 'ten at least' substitute the words 'not less than ten'.

Sub-clause (10).

In the last line, after the word 'period' insert the words 'and the same provision shall apply in all cases of vacancies arising before the expiry of such period.'

Sub-clause (b)—First proviso.

For the word 'body' in both the places where it occurs, substitute the word 'electorate'.

In line 4, for the words 'such a member' substitute the words 'such member'.

Sriman BISWANATH DAS Mahasaya:—"Sir, most of us got the list of amendments just to-day. So we have not applied our minds to them, though we do not object to have them considered. We must frankly confess that we have not applied our minds."

The hon. the PRESIDENT:—"Shall we take up the consideration of this Bill to-morrow?"

Mr. J. A. SALDANHA:—"Sir, the printed list was sent to us to-day. Type-written copies were sent to us before. Those who wanted to apply their minds could have done so." (Laughter).

The hon. Dr. P. SUBBARAYAN:—"We can go on."

Mr. S. SATYAMURTI:—"Provided we do not go so quickly, if I may say so respectfully. It is difficult to follow."

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put one after another and carried:—

Second proviso.

In line 4, after the word 'Senate' insert the words 'ex-officio'.

In line 5, before the words 'to the Vice-Chancellor' insert the words 'and communicated'.

In line 8, omit the word 'previous' occurring before the words 'election or nomination'.

[30th January 1929]

Sub-clause (c).

In line 2, omit the words 'under the preceding sub-section'.

In line 3, for the words 'University authorities', substitute the words 'authorities of the University'.

Clause 17.

Sub-clause (3).

In line 2, for the words 'and affiliated colleges', substitute the words 'affiliated and oriental colleges'.

Sub-clause (9).

Sriman BISWANATH DAS :—"Sir, I beg to move the following amendment :—

Add the following at the end :—

'especially in Indian system of medicine'.

"I move that the abovementioned words be added at the end of sub-clause (9) of clause 17 of the Bill. In so doing I commend this amendment to the consideration of the House for the following reasons. It is rather a misfortune that the claims of the Indian system of medicine has been relegated to the background by the Government. I think that the Indian School of Medicine which was started three or four years ago has been kept unnoticed both by the Members of this House and also by the Government. It is therefore necessary that it should be given a distinct status and recognition by the University and in the University Act. Therefore it is in the fitness of things that starting of laboratories and research work in the Indian system of medicine should not be lost sight of and it should be given the prominence which it deserves. With these words I commend my amendment to the consideration of the House."

Mr. P. BHAKTAVATSULU NAYUDU :—"I second the amendment."

The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I do not think it is necessary to introduce these words in the Bill, because the clause itself as it is drafted is wide enough and gives this power to the University. If you add these words you will be restricting the powers of the University to start research laboratories. I do not think it is necessary to restrict the powers of the Senate. If really the Senate is interested in starting any research work in Indian system of medicine, there is nothing in the Act to prevent them from doing so. I do not think we should restrict their powers."

(Sriman Biswanath Das rose to reply.)

The hon. the PRESIDENT :—"The hon. Member has no right of reply."

Mr. K. KOTI REDDI :—"Sir, I know that the provision in the Act is wide enough to include the Indian system of medicine. In order to draw the particular attention of the Government as well as the University it is desirable that these words should be inserted. Nothing is really lost by so doing. On the other hand, we would gain a good deal by drawing the prominent attention of the Government and the University because some of us are very keen on the matter. I hope the hon. Minister will accept the amendment."

30th January 1929]

The amendment was put and declared carried.

A poll was demanded and the House divided thus :—

Ayes.

- | | |
|-----------------------------------|--|
| 1. Mr. Sami Venkatachalam Chetti. | 20. Mr. P. Bhaktavatsulu Nayudu. |
| 2. " S. Satyamurti. | 21. Sriman Biswanath Das Mahasayo. |
| 3. " C. V. Venkataramana Ayyangar | 22. Mr. A. Kaleswara Rao. |
| 4. " T. Adinarayana Chettiayar. | 23. " R. Srinivasa Ayyangar. |
| 5. " P. Anjaneyulu. | 24. " K. Koti Reddi. |
| 6. " P. C. Venkatapathi Raju. | 25. " L. K. Tulasiram. |
| 7. " J. A. Saldanha. | 26. " C. Marudavanam Pillai. |
| 8. " Abdol Hamid Khan Sahib. | 27. " K. V. Krishnaswami Nayakar. |
| 9. " C. S. Govindaraja Mudaliyar. | 28. " K. Madhavan Nayar. |
| 10. " G. Harisarvottama Rao. | 29. " B. Venkataratnam. |
| 11. " C. N. Muthuranga Mudaliyar. | 30. " A. Ranganatha Mudaliyar. |
| 12. " K. V. R. Swami. | 31. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 13. " D. Narayana Raju. | 32. Mr. Ramanath Goenka. |
| 14. " K. Uppi Sahib. | 33. " R. Nagan Gowda. |
| 15. " K. R. Karant. | 34. " Chayadi K. Subrahmanya Pillai. |
| 16. " Mothay Narayana Rao. | 35. " K. G. Venkatarama Ayyar. |
| 17. " C. Obi Reddi. | 36. " K. P. Raman Menon. |
| 18. " A. Parasurama Rao Pantulu. | 37. " B. Ramachandra Reddi. |
| 19. " C. Ramasomayajulu. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Macjoribanks. | 28. Mr. T. M. Narayanaswami Pillai. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 29. " N. Siva Raj. |
| 3. " Mr. T. E. Moir. | 30. " M. V. Gangadhar Siva. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 31. " L. C. Guruswami. |
| 5. " M. R. Setnamnam Ayyar. | 32. " V. I. Munuswami Pillai. |
| 6. " Mr. S. Mutiah Mudaliyar. | 33. " W. P. A. Soundara Pandia Nadar. |
| 7. " Dr. P. Subbarayan. | 34. " S. Subrahmanya Mooparar. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 35. " Daniel Thomas. |
| 9. Khan Bahadur Muhammad Bazul-lah Sahib. | 36. " S. Venkiah. |
| 10. Mr. H. A. Watson. | 37. Raj Sahib M. Hampayya. |
| 11. " C. A. Souter. | 38. Rao Sahib R. Srinivasan. |
| 12. " S. H. Slater. | 39. Mr. W. E. Smith. |
| 13. " A. McG. C. Tampoe. | 40. " F. E. Corley. |
| 14. " C. W. E. Cotton. | 41. " K. E. James. |
| 15. " V. Ch. John. | 42. " S. N. Dorai Raja. |
| 16. " M. A. Manikkavelu Nayakar. | 43. " S. Arpudaswami Udayar. |
| 17. " Syed Tajudin Sahib. | 44. " K. Ramachandra Padayachi. |
| 18. " C. D. Arpavu Chettiayar. | 45. " U. Ramaswami Ayyar. |
| 19. " A. Balakrishna Shetti. | 46. " G. K. Premnaya. |
| 20. " J. Bheemayya. | 47. Swami A. S. Sahajanandam. |
| 21. " J. A. Davis. | 48. Rao Bahadur Sir A. P. Patro. |
| 22. " R. Foulkes. | 49. Diwan Bahadur P. C. Ethirajulu Nayadu. |
| 23. " P. J. Gnanavaram Pillai. | 50. Rao Bahadur S. Ellappa Chettiayar. |
| 24. " Muhammad Shamsud Sahib | 51. Khan Bahadur S. K. Abdul Razack Sahib. |
| 25. The Muppil Nayar of Kavalappara | 52. Rao Bahadur B. Munuswami Nayudu. |
| 26. Subedar-Major S. A. Nanjappa Bahadur. | 53. Mr. K. Sarabha Reddi. |
| 27. Rao Bahadur O. M. Narayanan Namudipad. | 54. The Kumara Raja of Venkatagiri. |
| | 55. Mr. A. V. Bhanaji Rao. |

Ayes 37. Noes 55.

The amendment was lost.

[30th January 1929]

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put one after another and carried :—

Clause 17—Sub-clause (11).

In line 3, for the words ‘and affiliated colleges’ substitute the words ‘affiliated and oriental colleges’.”

Sub-clause (13).

After the word ‘degrees’ add the words ‘titles, diplomas and other academic distinctions’.”

Sub-clause (14).

In line 1, after the word ‘degrees’ insert the words ‘titles, diplomas’.”

Item (a).

“For the words ‘or in an affiliated college’, substitute the words ‘affiliated or oriental colleges’.”

Sub-clause (18).

* The hon. the PRESIDENT:—“The following amendment of the hon. Dr. P. Subbarayan is for the consideration of the House :—

“For the words and figure ‘specified in section 4 (A) of this Act’ substitute the words ‘of this Act not otherwise provided for’.”

Mr. S. SATYAMURTI:—“Will the hon. the Minister kindly explain what is intended by this amendment?”

The hon. Dr. P. SUBBARAYAN:—“The phrase ‘for all or any of the purposes specified in sub-clause (18) of new section 16’ is rather vague. Since the Senate has been given power to prescribe the fees to be charged for recognition of colleges, etc., the expression ‘all or any of the purposes of this Act not otherwise provided for’ is the most suitable.”

* Mr. S. SATYAMURTI:—“I am afraid my hon. Friend’s explanation has not taken us very far. As hon. Members will notice this clause is intended to substitute section 16 of the Act which defines the powers of the Senate. One of those powers prescribed in sub-section (18) of this section is that ‘the Senate shall have power to prescribe the fees to be charged for the recognition and affiliation of colleges, for admission to the examinations, degrees and diplomas of the university, for the registration of the graduates and for all or any of the purposes specified in section 4-A of this Act’. Section 4-A of this Act, hon. Members will notice, is a new section accepted by this House to form part of the University Act of 1923 defining in a very comprehensive manner all the powers which the University shall have. I really fail to understand how the substitution of the new words ‘of this Act not otherwise provided for’ improves the situation as it is now found in the wording of section 18. Unless the hon. Minister has got something in his mind which is not provided for in section 4-A, I cannot see any purpose for which the University will be called upon to prescribe fees. If my hon. Friend can convince the House that there is likely to arise a need for any powers which are not provided for in section 4 A, I will consider it. The provision under section 4-A is comprehensive enough. It empowers the

30th January 1929]

[Mr. S. Satyamurti]

Senate to do all such acts as may be necessary or desirable to further the objects of the university. I do not see therefore why we should now change the words in section 4-A of this Act.

"There is also a substantial objection. The provision confers powers on a subordinate authority created by us. I think it is a well understood canon of legislation that we should be very precise in the nature and extent of the powers we seek to confer on subordinate bodies. I would therefore commend to my hon. Friend the Minister to leave the wording exactly as it is, because it defines the purposes for which it can be done, whereas, if power is given, for example, to prescribe fees for any purposes under the Act not provided for, it makes it indefinite, at any rate more indefinite than if section 4-A is left there. I would suggest that this amendment is not called for and may work some mischief."

The amendment was by leave withdrawn.

Clause 18.

* The hon. the PRESIDENT:—"The following amendment given notice of by the hon. Dr. P. Subbarayan was put and carried.

"In the third line, before the figure '(1)' insert the figure '(17)'."

Clause 19.

The hon. the PRESIDENT:—"The hon. Dr. Subbarayan's amendment to clause 19 is for the consideration of the House. It runs as follows:—

For clause 19, substitute the following clause, namely:—

"19. (1) *The paragraphs of section 18 of the said Act except the last paragraph shall be lettered as sub-section (a) of section 18 and in the sub-section as so lettered, under the head 'Class II—Other Members'—*

(a) *in clause (1) the words 'of whom not less than three shall be teachers of affiliated colleges' shall be added at the end;*

(b) *clause (3) shall be omitted and clause (4) re-numbered as (3); and*

(c) *after clause (3) as so re-numbered, the following proviso shall be inserted, namely:—*

'Provided that no whole-time University Professor or whole-time teacher of the University shall be eligible for election or nomination as a member of the Syndicate.'

(2) *For the last paragraph of the said section, the following sub-sections shall be substituted, namely:—*

(b) *Save as otherwise provided, elected and nominated members of the Syndicate shall hold office for a period of three years from the date of the election or nomination as the case may be;*

'Provided, however, that no member elected in his capacity as a member of a particular electorate shall hold office for a longer period than three months after he has ceased to be such member unless meanwhile he again becomes a member of that electorate;'

[The President]

[30th January 1929]

' Provided also that where an elected or nominated member of the Syndicate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Syndicate ex-officio ;'

' he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Syndicate by virtue of his election or nomination or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member ;'

' Provided also that a member of the Syndicate shall cease to be a member if he subsequently becomes a whole-time University Professor or whole-time teacher of the University.

(c) When a person ceases to be a member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate.'

The hon. Dr. P. SUBBARAYAN :—" These are only drafting amendments, Sir."

Mr. S. SATYAMURTI :—" May I make one submission, Sir ? "

The hon. the PRESIDENT :—" Please wait. I think Mr. Satyamurti's amendment is a substantial amendment and if that is carried there must be a consequential drafting amendment. Let us fix the procedure."

* Mr. S. SATYAMURTI :—" I do not think that so far as the words in the hon. Minister's amendment beginning with 19 (1) (c) are concerned, anything need be altered. That portion I have not touched in my amendment. Therefore, if my amendment is accepted by this House, it will only mean that that will take the place of the amendments of my hon. Friend, the Chief Minister to 19 (1) (a) and (b). The proviso relating to University professors, etc., I have not touched. The House can deal with it on its merits. My amendment merely touches the composition of the Syndicate."

* The hon. the PRESIDENT :—" We shall make the hon. Dr. P. Subbarayan's amendment the primary amendment and then Mr. Satyamurti may move his amendment to it."

* Mr. S. SATYAMURTI :—" It will be suitable, Sir, and convenient."

* The hon. the PRESIDENT :—" Mr. Satyamurti may now move his amendment as an amendment to Dr. Subbarayan's amendment."

* Mr. S. SATYAMURTI :—" I must guard myself and seek your protection in drafting my amendment suitably."

* The hon. the PRESIDENT :—" The hon. Member will have to make the necessary changes in his amendment."

* Mr. S. SATYAMURTI :—" I am not an expert in drafting amendments at short notice."

30th January 1929]

* The hon. the PRESIDENT:—"As it is not likely that the House will dispose of this before lunch, it will be convenient to postpone this and dispose of the amendments to the subsequent clauses. During the lunch interval the Secretary will assist the hon. Member in drafting his amendment to be moved after lunch. It will be better if consideration of all the amendments to clause 19 is postponed till then."

The consideration of the amendments were accordingly postponed after lunch.

The following amendments of the hon. Dr. P. Subbarayan were put and carried :—

Clause (20).

Item (a).

In line 1, omit the word 'to' occurring before the words 'amend or repeal'.

Item (f).

For the words 'funds and properties', substitute the words 'properties and funds'.

Item (g).

In line 1 and in clause (h) in line 2, after the word 'Professors' insert the words 'and Readers'.

The hon. Dr. P. SUBBARAYAN moved—

'In item (j) in the last line, for the word 'therefrom' substitute the words 'from hostels'.'

Mr. S. SATYAMURTI:—"With regard to this I should like to have some light from the hon. Minister as to what exactly he means."

The hon. Dr. P. SUBBARAYAN:—"This will make our intention more clear."

Mr. S. SATYAMURTI:—"May I ask my hon. Friend whether the power to withdraw recognition from oriental colleges has been put into this Bill? I have my own doubts about it."

The hon. Dr. P. SUBBARAYAN:—"The hon. Member will please look into item (k)."

* Mr. S. SATYAMURTI:—"Item (k) refers only to inspection. I think it is much better to have 'therefrom'. We shall have the benefit of ambiguity."

The amendment was by leave withdrawn.

The following amendments of the hon. Dr. P. Subbarayan were then put and carried :—

Item (k).

For the words 'constituent colleges, hostels and affiliated colleges', substitute the words 'constituent, affiliated and oriental colleges and hostels.'

Item (l).

In line 2, for the words 'constituent and affiliated colleges', substitute the words 'constituent, affiliated and oriental colleges.'

[30th January 1929]

Item (r) sub-Item (i).

The hon. Dr. P. SUBBARAYAN moved—

“In line 1, after the word ‘examiners’, insert the words ‘and assistant examiners’.”

Mr. S. SATYAMURTI :—“ May I know why this addition is sought to be made? ”

The hon. Dr. P. SUBBARAYAN :—“ To make it more complete the words ‘assistant examiners’ have been included.”

* Mr. S. SATYAMURTI :—“ We have in the University not only examiners and assistant examiners, but also additional and special examiners. This amendment seems to be unnecessary.”

The hon. Dr. P. SUBBARAYAN :—“ Since the Advocate-General also thinks so, I have no objection to withdraw this amendment.”

The amendment was by leave withdrawn.

Item (r) sub-item (ii).

The hon. Dr. P. SUBBARAYAN moved—

“For the word ‘fees’, substitute the word ‘remuneration’.”

Mr. S. SATYAMURTI :—“ What is the difference between ‘fees’ and ‘remuneration’? ”

The hon. Dr. P. SUBBARAYAN :—“ I think it is a better term.”

The amendment was put and carried.

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

Clause 19.

* Mr. S. SATYAMURTI :—“ I beg to move the following amendment to the hon. the Chief Minister’s amendment :—

“For sub-clause (a), substitute the following—

“In clause (2) for the word ‘three’ the word ‘six’ shall be substituted and at the end of clause (2), the following words shall be added :—

‘of whom three shall be teachers of affiliated colleges and the rest shall be persons other than teachers of affiliated colleges.’

“The rest of the amendment will stand as it is. I will explain the difference between the amendment of the Chief Minister and mine. The Chief Minister’s amendment seeks to reduce the strength of the Syndicate from 19 to 16 and reduces the representation of the Senate on the Syndicate in this manner. The total shall be eight, of whom three shall be teachers of affiliated colleges. On the other hand, Mr. President, my amendment provides that the representation of the Senate on the Syndicate will continue as it is, eight, but that the representation of the Academic Council on the Syndicate shall be raised from three to six of whom three shall be teachers of affiliated colleges and three others other than teachers of affiliated colleges. I beg to move my amendment for the acceptance of the House. My amendment is consequential on the abolition of the council of affiliated colleges by a vote of the House.”

30th January 1929]

Mr. J. A. SALDANHA :—" I beg to second it."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, I made it clear during the discussion of the second reading of the Bill that I had no objection to it and now that the consequential amendment has been made I have no objection to accept it."

The amendment was put and carried.

• The amendment of the hon. Dr. P. Subbarayan as amended by the amendment of Mr. S. Satyamurti was then put to the House and carried.

Sub-clause (a) (iii).

* Sriman BISWANATH DAS Mahasaya :—" I beg to move—

" In lines 3 and 4, omit the words ' whole time '.

" In doing so I have to place the following facts for the consideration of the Council. The proviso proposes that the professors of the University may be eligible as members of the Syndicate. These professors may either be whole-time or part-time officers. The Syndicate wields very great power and is the executive authority of the Senate. To illustrate my position I state that the professors whom the Syndicate has to appoint are thus the would-be members of the Syndicate some day. So this approximates to the theory of the servant practically becoming the master himself one day. That is a position which this Council should not tolerate. Then the Syndicate has got the power of not only appointing professors, assistant professors and lecturers, but has also got the power of appointing persons as examiners, paper-setters and so on. So these professors I take it are to be selected by themselves. Under these circumstances I propose the omission of the word ' whole time '."

Mr. BASHEER AHMED SAYEED :—" I second it."

The hon. Dr. P. SUBBARAYAN :—" I am afraid I shall have to oppose this amendment because whole-time professors are different from part-time. If this amendment is carried no academic element will be represented in the Syndicate at all. Because most of the members of the Syndicate are readers or part-time officers who are not servants as they are not people doing lecturing work. So I oppose the amendment."

The amendment was put and lost.

The following amendments of the hon. Dr. P. Subbarayan were put and carried:—

Class I—Ex-officio Members.

Item (x).

For the words ' the Statutes, the Ordinances or the regulations ' substitute the words ' or the Statutes, Ordinances or Regulations '.

Clause 21.

In line 1, for the words ' heading of ', substitute the words ' heading to '.

Clause 22.

For the figures ' (i) ', ' (ii) ', and ' (iii) ' distinguishing the sub-sections of new section 23, substitute letters ' (a) ', ' (b) ', and ' (c) ' respectively.

In sub-section (a), as so lettered, in clause (9) of class I, in line 2 at the end, after the figure ' 14 ', insert the word ' and '.

[30th January 1929]

Sriman BISWANATH DAS Mahasayo :—"I beg to move—

"Add the following as new item (11)—

'The Principal of the Indian School of Medicine.'

"Sir the amendment proposes to include among the members of the Academic Council the Principal of the Indian School of Medicine as an ex-officio member. Looking into the constitution of the Academic Council, hon. Members of this House will please see that about six principals of second-grade colleges, principals of all first-grade colleges and also the Principal of the Medical College are members of the Academic Council. This Academic Council has important functions so far as research, teaching, etc., are concerned. Under the University Act it has to recommend to the Senate the schemes of constitution and reconstitution of teaching, and to promote research, and call for reports of such research from persons engaged in it and then recommend to the Syndicate thereon. They have to recommend also the examiners and the assistant examiners. It has been our hope to see that the Indian system of medicine is given its due share in the educational development and activities of this province.

2-45
p.m.

"Unfortunately, Government have not given due consideration to this subject though the Usman Committee recommended this as long ago as 1923. In this connexion I wish to draw the attention of hon. Members to page 44, paragraph 16, of the said report, wherein specific recommendations have been made on this subject. The illustrious authors of the report recommend 'An Indian university may well be expected to interest itself in the promotion of Indian medicine by adopting such measures as the following :—

- (i) Establishment of a University Chair of Indian Medicine.
- (ii) Providing for post-graduate lectures and courses
- (iii) Establishment of a Faculty of Indian Medicine with a corresponding Board of Studies, Examination Boards, and so on.
- (iv) Founding of Research fellowships and scholarships.

"So, nothing of these could be done unless you give the Principal of the Indian School of Medicine a status, which is so essential and necessary for the purpose of encouraging Indian medicine. It is also essential to give effect to the recommendations of the Usman Committee after five years of its publication. Under these circumstances I propose that the Principal of the Indian School of Medicine should be included as item 11 in clause 22."

Mr. BASHEER AHMED SAYEED :—"I second the motion, Sir."

*The hon. Dr. P. SUBBARAYAN :—"I am afraid I cannot accept this amendment, because the Indian School of Medicine is not one of the institutions affiliated to the University of Madras. The Madras University does not, at present, conduct examinations in the Indian system of medicine. When that time comes, I am sure there will be a place for the Principal of the Indian School of Medicine. As long as the University remains a university catering for western methods, I cannot understand how the Principal of the Indian School of Medicine has to be given a place in the Academic Council. If the Principal of the Indian School of Medicine is going to be ex-officio there are other principals, such as the principals of oriental colleges, who teach students for the University examinations in Vidwan, Siromani, etc., who do not find a place there. They will have more claims than the Principal of the Indian School of Medicine. Under these circumstances, I am afraid I cannot accept this amendment."

30th January 1929]

* **Mr. C. RAMASOMAYAJULU** :—" I am sorry that the Chief Minister wants us to wait until the examinations are conducted by the University. Unless he accepts motions of this sort, which will give impetus and status to the branch of Indian medicine in university culture, time will never come for the university to conduct examinations in Indian medicine. It is therefore no logic to say they will have to wait till the examinations are conducted to have representation in the Academic Council. If we accept the advice of the Chief Minister, we will have to wait till doomsday. This is one of the steps by which we may be able to advance the cause of Indian medicine. If the hon. Minister accepts this amendment, it will be taking us one more step in advance in the instruction of Indian medicine."

Dr. B. S. MALLAYYA :—" I am really surprised at the statement of the hon. the Minister. The present Principal, Sir, is a first-class graduate. He is also a graduate in law; he has got triple qualifications and he has the unique distinction of having blended the eastern system of medicine with the western system and he is trying to bring it up to date. I find that more of western medicine is taught there to the students than Indian medicine. Moreover, there was a proposal recently in the University of Madras to institute examinations in Indian medicine also. If it is the object of Government to encourage Indian medicine, it is high time and I appeal to the hon. the Chief Minister to reconsider and give the Indian School of Medicine a decent chance."

* **Mr. L. K. TULASIRAM** :—" From what I heard from the hon. the Chief Minister for Education, he wants to exclude Indian medicine altogether from the University of Madras. I will taboo the University when it excludes Indian medicine. When my hon. Friend Mr. Biswanath Das from Ganjam pressed for it, I understood the hon. Minister for Education to say that he would not exclude it for all time and he does not say that Indian medicine could always be excluded. We are only asking that the Principal of the College should be made ex-officio member of the Academic Council. I understood the hon. Minister to say that the University has not taken cognizance of Indian medicine and therefore he opposes the inclusion of the Principal of the Indian School of Medicine on the Academic Council. I say, Sir, that it is very necessary that the Indian system of medicine should be recognized by the University of Madras and if the University does not do it, taboo the Madras University. Indian doctors, hakims and others will only boycott the University if it is going to do that. I have tried Indian medicines. I am now speaking with a hoarse throat and after taking Indian medicine it has given me relief. I appeal to my hon. Friend, the Minister for Education, not to be so zealous of his English system of medicine. He is an Indian like myself and I hope better sense would prevail and that he would have the courage to adopt the Principal of the Indian School of Medicine as one of the colleagues on the Academic Council."

* **Mr. K. KOTI REDDI** :—" Mr. President, Sir, it is really surprising why the Chief Minister should object to include the Principal of the Indian School of Medicine and it is a great surprise to see that the Chief Minister shows scant consideration for the system of Indian medicine. We are aware that many eminent Englishmen have given their praise with regard to the Indian system of medicine. It was only the other day that the eminent Englishman, Dr. Rushbrook Williams, wrote that so many Englishmen had

[Mr. K. Koti Reddi]

[30th January 1929]

tried successfully Indian medicine where allopathic medicine had failed. When such is the case, I do not see any reason why the Chief Minister should not make this attempt at trying to help the system of Indian medicine. The fact that at present the University does not include examinations in Indian medicine, is no ground for refusing to admit the Principal into the Academic Council. If he is admitted into the Academic Council, the time will soon come when by his influence and persuasion, the Academic Council and the University will include the Indian system of medicine in the University examinations. I therefore appeal once again to the hon. the Chief Minister to think twice before rejecting this amendment."

(Mr. S. N. Dorai Raja rose to address the House from the Government Bench.)

* The hon. the PRESIDENT:—"The hon. Member has got a right to speak from all the benches except the Treasury Bench."

Mr. S. N. DORAI RAJA (from a seat on the Opposition Bench):—"I apologize to you, Sir. I am surprised to hear what hon. Members have stated. It is not want of sympathy or want of recognition of Indian medicine but it is due to the respect which the Minister has for the University autonomy that he is unable to accept this amendment. Nobody can interfere with the autonomy of the Madras University. That is the whole trouble. I for one as a member of the Senate would resent any sort of interference from any quarter. I therefore oppose this amendment."

* The hon. the PRESIDENT:—"The question is that 'The Principal of the Indian School of Medicine' be added as new item (11) in clause 22."

The amendment was put to the House and declared lost.

A poll was demanded.

(After the ringing of the division bell was over and just before the poll was about to be taken, Mr. J. A. Saldanha entered the House. The hon. the President remarked: 'The hon. Member will kindly keep aloof.')

Mr. J. A. SALDANHA:—"I won't vote, Sir."

* The hon. the PRESIDENT:—"The hon. Member will kindly be outside the House."

The House divided thus:—

Ayes.

1. Swami A. S. Sahajanandam.
2. Mr. V. Ramjee Rao.
3. " Sami Venkatachallam Chetti.
4. " S. Satyamurti.
5. " C. V. Venkataramaya Ayyangar.
6. " T. Adinarayana Chettiyar.
7. " P. C. Venkatapati Raju.
8. " Abdul Hamid Khan.
9. " C. S. Govindaraja Mudaliyar.
10. " G. Harisarvottama Rao.
11. " C. N. Muthuranga Mudaliyar.
12. " K. V. R. Swami.
13. " D. Narayana Raju.
14. Dr. B. S. Mallayya.
15. Mr. K. R. Karant.
16. " C. Obi Reddi.
17. " A. Parasurama Rao.
18. " C. Ramasomayajulu.

19. Mr. Bashear Ahmad Sayeed.
20. Sriman Biswanath Das Mahasaya.
21. Mr. R. Srinivasa Ayyangar.
22. " K. Koti Reddi.
23. " L. K. Tulasiram.
24. " Marudavanam Pillai.
25. " K. V. Krishnaswami Nayakar.
26. " K. Madhavan Nayar.
27. " K. S. Sivasubrahmanya Ayyar.
28. " A. Ranganatha Mudaliyar.
29. " Ramanath Goenka.
30. " R. Nagan Gowda.
31. The Zamindar of Gollapalli.
32. Mr. Chavadi K. Subrahmanya Pillai.
33. " K. P. Raman Menon.
34. " C. Gopala Menon.
35. " B. Ramachandra Reddi.
36. Kumara Raja of Venkatagiri.

30th January 1929]

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 24. Rao Bahadur O.M. Narayanan Nambudiripad. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 25. Mr. T. M. Narayanaswami Pillai. |
| 3. " Mr. T. E. Moir. | 26. " N. Siva Raj. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 27. " M. V. Gangadhar Siva. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 28. Rao Sahib L. C. Guruswami. |
| 6. " Mr. S. Muthiah Mudaliyar. | 29. Mr. V. I. Muniswami Pillai. |
| 7. " Dr. P. Subbarayan. | 30. " W. P. A. Soundarapandia Nadar. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 31. " S. Subrahmanya Moopanar. |
| 9. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur. | 32. " Daniel Thomas. |
| 10. Mr. H. A. Watson. | 33. " S. Venkiah. |
| 11. " C. A. Souter. | 34. Rai Sahib M. Hampayya. |
| 12. " S. H. Slater. | 35. Rao Sahib R. Srinivasan. |
| 13. " A. McG. C. Tampoe. | 36. Mr. F. E. Corley. |
| 14. " C. W. E. Cotton. | 37. " W. E. Smith. |
| 15. " V. Ch. John. | 38. " F. E. James. |
| 16. " M. A. Manikkavelu Nayakar. | 39. " R. J. C. Robertson. |
| 17. " C. D. Appavu Chettiyar. | 40. " S. N. Dorai Raja. |
| 18. " A. B. Shetty. | 41. " S. Arpudaswami Udayar. |
| 19. " J. Bheemayya. | 42. " K. Ramachandra Padayachi. |
| 20. " R. Foulkes. | 43. " G. R. Premayya. |
| 21. " Mahmud Schammad Sahib. | 44. Khan Bahadur Abdul Razaak Sahib Bahadur. |
| 22. The Zamindar of Singampatti. | 45. Mr. Muhammad Kadir Mohidin Sahib. |
| 23. Subadar-Major S. A. Nanjappa Bahadur. | 46. Diwan Bahadur S. Kamaraswami Reddiyar. |
| | 47. Mr. K. Sarabha Reddi. |

Neutral.

- | | |
|------------------------------------|--------------------------------------|
| 1. Mr. S. V. Vanavudaya Gounder. | 6. Mr. U. Ramaswami Ayyar. |
| 2. " P. J. Gnanavaram Pillai. | 7. Rao Bahadur Sir A. P. Patro. |
| 3. Syed Tajudin Sahib Bahadur. | 8. Mr. P. T. Rajan. |
| 4. Dr. (Mrs.) Muthulakshmi Reddi. | 9. Rao Bahadur S. Ellappa Chettiyar. |
| 5. Diwan Bahadur P. Kesava Pillai. | |

Just before the announcement of the poll was made, Mr. L. K. Tulasiram rose to speak.

* The hon. the PRESIDENT :—"The hon. Member will wait till the announcement of the result of the poll."

Ayes 36. Noes 47. Neutral 9.

The amendment was lost.

* The hon. the PRESIDENT :—"I wish to impress upon hon. Members 3 p.m. that when a division is on and till the result of the poll is announced, no Member has got a right to address the House."

Mr. L. K. TULASIRAM :—"I made a mistake, Sir, and I am very sorry for that. Mr. President, I move the adjournment of the remaining items on the agenda."

The hon. the PRESIDENT :—"The hon. Member may hand in his motion in writing."

The following amendments standing in the name of Dr. P. Subbarayan were then put and carried :—

Class II—Other Members. Sub-clause (5).

In line 1, after the word 'elected' insert the words 'from among themselves', and

[30th January 1929]

In line 2, after the word 'Government' at the end, add the words 'and situated within the jurisdiction of the University.'

Sub-clause (ii). First proviso.

In the first proviso for the word 'body' in both the places where it occurs, substitute the word 'electorate'.

° Second proviso.

In line 4, after the words 'Academic Council', insert the words 'ex-officio'.

In line 5, before the words 'to the Vice-Chancellor', insert the words 'and communicated', and

In line 8, omit the word 'previous' occurring before the words 'election or'.

Mr. L. K. TULASIRAM:—"I move, Sir, for the adjournment of the remaining items on this agenda—I have handed over the motion in writing. Mr. President, Sir, I should say in all fairness that the printed agenda was only placed in our hands last evening, and in the case of some members this morning. And I also find that they are not merely verbal amendments or alterations. They extend to over nine pages of this printed agenda and the items come up to 81, and some of us have not been provided with the actual Bill and really we do not understand what we are doing. We have to apply our mind to this Bill and come to some conclusion. You were also pleased to say, Sir, that you also found it very difficult to stand on your legs and read all these propositions. I think it will serve the interests of this hon. House better if we are given sufficient time to consider the proposals and see what all was intended by these amendments in the agenda. With these few words I have much pleasure in moving this adjournment of the remaining items on the agenda for another sitting of the Council."

Sriman BISWANATH DAS Mahasaya:—"Sir, in seconding the motion of my hon. Friend from Madura I have to say that deliberations of a legislature should be far from what is being done here. We have been called upon to give our sign of approval to a very important law, that is, the University Act of Madras without knowing what it is. It is a matter for regret that we were supplied with the agenda just this morning, I mean the printed agenda. My hon. Friend, Mr. Saldanha, just one or two hours back told us that he got litho copies of the agenda yesterday evening. Looking at the litho copies, I would appeal to the hon. Members of this House, that no one could make head or tail out of them. Many of those leaflets are far from being legible, and then they were supplied to us piecemeal fashion and many of us have lost even those leaflets. It is only this morning that the printed agenda was placed in our hands. Under these circumstances it becomes very hard that Legislative Councillors should be called upon to give their co-operation on an important question like this. It is in view of all this that I made a representation to you, Sir, that unless it is the desire of the Government that hon. Members of the House should shut their eyes and nod their assent to whatever is moved by the hon. the Chief Minister, it is no use to expect any deliberation or deliberate assent from the hon. Members of this House. These being the circumstances under which we are called upon to discharge our responsibility to both our electorate and to the people of this Presidency, I think it is but fair to the people of this Presidency, that Government should cease rushing through legislation without giving

30th January 1929] [Sriman Biswanath Das Mahasayo]

due notice and due time to the Members of the Legislative Council to think calmly over questions of such importance. Sir, you may have seen that many hon. members of this House on very important questions on which we have already voted, have voted without knowing—I do not mean any offence to hon. Members of this House—what they are doing. It is evident because many hon. Members had to run away and just get up one way or other without knowing the importance of the questions on which they were voting. These being the circumstances, I would appeal to the Government and also to the various parties in this House not to rush through this legislation and not to cultivate the habit of nodding assent on important questions without knowing their consequences. With these few words, I very heartily second the motion of my hon. Friend from Madura.

* The hon. the PRESIDENT :—“ Before I put the question to the House I should like to make some observations regarding the way in which notices of amendments were supplied to hon. Members. Some reflections were made by the Members regarding the method adopted by the Legislative Council office in sending these notices, that they were sent out piecemeal and that they were not legible and so on. If really members do feel that any irregularity was committed in the Legislative Council office, it is not good in my opinion to make references to all those matters in the open Council. They can go to the Secretary or to the President and make such representations as they like. I think the dignity of the House requires that any complaints against the office must not be made in the open House. After all, here the Opposition is functioning against the Government and not against the Legislative Council office.”

Sriman BISWANATH DAS Mahasayo :—“ A word of explanation, Sir. It was far from my mind to cast any aspersions or to make any allegations against the Legislative Council office and much less against the Secretary, who has been very kind and helpful to us all along. It was far from my mind to make any allegation of the kind just now stated by you, Sir. And if I have done so, it was done certainly most unwittingly and not with any deliberation, and I would certainly be very glad to apologise if you have taken it in that light. All that I want to say is this, that the Government want to rush through measures and in doing so they do not give sufficient notice to the Legislative Council office and the Legislative Council office in such cases must necessarily hurry through the business and give us litho notice. And the result is we are not able to gather them and arrange them and so on. These are the difficulties under which we are called upon to discharge our responsibility, and that is all the representation I wanted to make.”

* The hon. the PRESIDENT :—“ Here the amendments were handed over by the hon. Minister to the Secretary about five days ago and they were immediately circulated to the Members in Roneo. The Council office has done its best and if the hon. Member agrees that these statements are correct, he has to exonerate the Council office without any condition.”

Sriman BISWANATH DAS Mahasayo :—“ As I have said, Sir, I have no objection to do so.”

* The hon. the PRESIDENT :—“ The question is that the consideration of the Madras University Amendment Bill be adjourned.”

[30th January 1929]

Mr. N. SIVA RAJ :—" Mr President, I rise to oppose the motion for the adjournment of this question. Almost all the amendments that have been introduced in connexion with the Madras University Bill are more or less of a formal nature—to alter a word here or introduce a word there and so on. The amendments do not go to affect the character or the nature of the Bill or any principles underlying the Madras University Act. Apart from the allegations that have been made against the Legislative Council office, I noticed in the speech of my friend Mr. Biswanath Das certain allegations made against the Members of this House. He suggests that Members of this House do rush into the House merely to give their votes without understanding the consequence of that vote. I think, Sir, he owes an apology to the Members of this House."

* The hon. the PRESIDENT :—" He has got every right to reflect about the capacity of the Members of the House collectively."

Mr. N. SIVA RAJ :—" But I thought, Sir, that there is a presumption in our favour that every Member who votes does so after understanding the implications of that vote. Anyhow, Sir, I think the hon. Member was indiscreet in making that kind of remark. So far as the motion is concerned, in view of the fact that almost all these amendments are merely of a formal nature, I do not think this question requires so much consideration as my hon. Friend thinks."

3-15
P.m.

* Mr. ABDUL HAMID KHAN :—" Mr. President, if I rise to support this motion it is not for the reason that we have received notice of these amendments early or late, but I do so as a protest against the attitude of the Ministry and of Government with regard to matters Indian. After all, it was a very small matter that was sought to be done, viz., to include the name of the Principal of the Indian School of Medicine. If the Minister had agreed to accept this he could have counted on the co-operation of this side of the House. Motion after motion was made by this side of the House which was calculated to develop the Indian system of medicine and Indian system of education, a national system of education, and there comes from the Minister who is in charge of education a very vocal 'No'. We thought that education being a transferred subject and in charge of a Minister the popular side of the educational system in this country would have its own place. But what is happening is all to the contrary. The Minister who is an Indian and who is responsible in a way to the representatives of the people in this House always stands against national aspirations. This is only one aspect of the thing. If the Minister has not thought fit to bring a change in the policy of the Government, the reserved half of the Government, I must say he has not done anything to satisfy the people of this country. All the systems of Indian Medicine, like Ayurveda, Unani and Sidda demand the immediate attention of the Government."

* The hon. the PRESIDENT :—" I am afraid the hon Member has to confine his remarks to the necessity for the adjournment instead of giving his arguments in respect of the various systems of medicine."

* Mr. ABDUL HAMID KHAN :—" I shall confine myself to the motion before us. As I said in the beginning, I support the motion for adjournment as a protest against the policy of the Government. In rejecting such a motion as that which is calculated to develop the Indian system of medicine the Government has forced us to bring forward this motion."

30th January 1929]

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, I was surprised at the attitude taken by the other side at this stage, but after my Friend Mr. Hamid Khan's speech I could see the Opposition's anger against me. Reason of course is at a discount when passion is at play, and I quite understand why this adjournment is being moved. We have gone through six pages out of the nine pages of amendments, and, hon. Members did not think it fit all that time to say that the consideration of this Bill should be adjourned. As a matter of fact, the other amendments that are to come are more verbal than even the ones we have considered. When such is the case, I do not see why we should adjourn the consideration of the Bill."

* Mr. BASHEER AHMAD SAYEED :—" Sir, I do not agree with what the hon. the Chief Minister has said as to the reasons against adjourning the rest of the items on the agenda. Mr. President, any cursory glance at the remaining amendments on the University Bill will show to the hon. Members that they are not merely verbal amendments but they seek to insert several new clauses and substitute several others; and they are in some cases of a far-reaching importance. For instance, in the case of one amendment, instead of 'Senate', the 'Syndicate' is proposed to be substituted. This cannot certainly be a verbal amendment. Further, the agenda was not read through by the Councillors and sufficient time was not given. Some of the amendments are of far-reaching importance and for anything like a considered enactment of law, the Councillors must have time enough to deliberate over the amendments which the Chief Minister himself has taken several months to prepare and give notice of. He could have given notice of these amendments pretty earlier, but he did not do so. He might have drafted the Bill itself in an acceptable form. While he himself went on, from day to day, altering and amending and had taken a good lot of time, he would not allow the members, especially members of the opposition, time enough to consider those amendments, time enough to give their mature consideration to various aspects of the amendments to this Bill which is going to become law. Why should these things be hurried in the fashion the Minister wants us to do, under the cover that the amendments are all mere formal amendments,—though several important changes are sought to be made through them—until the Councillors have had time to go through them carefully and considered the pros and cons for the acceptance or non-acceptance of those amendments. Under these conditions, it is but fair to expect the House to adjourn the consideration of these remaining items and allow some time to the hon. Members to deliberate over them calmly, and contribute their best to this legislation."

* Mr. K. V. R. SWAMI :—" Mr. President, the Chief Minister in his reply has touched on only one point. He asks why we did not take objection at the earliest opportunity, why we took all this time and now raised the objection. He is quite correct. My reply is, we could have taken objection earlier but we thought that things would go on more smoothly, and my hon. Friend, the Chief Minister, we thought, would be amenable to small amendments proposed by some friends here. It is true we have not had time to study the whole thing. But we have given some small amendments which would not hurt his Bill or him or his reputation and he won't accept them. It seems he has got a dislike for anything Indian. Instead of satisfying the national inclinations, he comes and says 'This must be brushed aside, I have

[Mr. K. V. R. Swami]

[30th January 1929]

got a thumping majority and I will see the Bill through.' This is the attitude adopted by him. He twits us by saying 'Your passions are out, you are not reasonable at all,' and so on. He himself is responsible for the situation. When a charge was brought against him that he dislikes everything Indian, he did not contradict. He is secure of his majority and does not care for anybody else. That seems to be his attitude."

Diwan Bahadur P. KESAVA PILLAI:—"I move that the question be now put."

The motion was carried.

Dr. B. S. Mallayya demanded a poll and the House divided thus:—

Ayes.

- | | |
|--|--|
| 1. The hon. Sir Norman Macjoribanks. | 34. Mr. S. Subrahmanya Moopanar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 35. " Daniel Thomas. |
| 3. " Mr. T. E. Moir. | 36. " S. V. Vanavudaiya Goundar. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 37. " S. Venkiah. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 38. Rai Sahib M. Hampayya. |
| 6. " Mr. S. Muthiah Mudaliyar. | 39. Rao Sahib R. Srinivasan. |
| 7. " Dr. P. Subbarayan. | 40. Mr. W. E. Smith. |
| 8. Dr. (Mrs.) S. Mathulakshmi Reddi. | 41. " F. E. Corley. |
| 9. Diwan Bahadur P. Kesava Pillai. | 42. " C. E. Wood. |
| 10. Mr. Alladi Krishnaswami Ayyar. | 43. " F. E. James. |
| 11. Khan Bahadur Muhammad Bazl-ul-Jah Sahib Bahadur. | 44. " R. J. C. Robertson. |
| 12. Mr. H. A. Watson. | 45. " H. F. P. Hearson. |
| 13. " C. A. Souter. | 46. " S. N. Dorai Raja. |
| 14. " S. H. Slater. | 47. " S. Arpudraswami Udayar. |
| 15. " A. McG. C. Tampoe. | 48. " K. Ramachandra Padayachi. |
| 16. " C. W. E. Cotton. | 49. " G. R. Premayya. |
| 17. " V. Ch. John. | 50. Swami A. S. Sahajanandam. |
| 18. " M. A. Manikkavelu Nayakar. | 51. Mr. V. Ramjee Rao. |
| 19. Syed Tajudin Sahib Bahadur. | 52. Zamindar of Gollapalli. |
| 20. Mr. A. B. Shetty. | 53. Mr. Chavadi K. Subrahmanya Pillai. |
| 21. " J. Bheemayya. | 54. " K. R. Venkatarama Ayyar. |
| 22. " R. Foulkes. | 55. " K. P. Raman Menon. |
| 23. " P. J. Gnanavaram Pillai. | 56. " C. Gopala Menon. |
| 24. Mahmud Schammad Sahib Bahadur. | 57. " B. Ramachandra Reddi. |
| 25. The Zamindar of Singampatti. | 58. Rao Bahadur Sir A. P. Patro. |
| 26. The Subadar-Major S. A. Nanjappah Bahadur. | 59. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 27. Rao Bahadur O. M. Narayanan Nambudripad. | 60. Mr. P. T. Rajan. |
| 28. Mr. T. M. Narayanaswami Pillai. | 61. " T. K. Chidambaranatha Mudaliyar. |
| 29. " N. Siva Raj. | 62. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 30. " M. V. Gangadhara Siva. | 63. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 31. Rao Sahib L. C. Guruswami. | 64. Rao Bahadur B. Muniswami Nayudu. |
| 32. Mr. V. I. Muniswami Pillai. | 65. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 33. " W. P. A. Soundara Pandia Nadar. | 66. Mr. K. Sarabha Reddi. |
| | 67. Kumararaja of Venkatagiri. |
| | 68. Mr. A. V. Bhanoji Rao. |

Noes.

- | | |
|-----------------------------------|------------------------------------|
| 1. Mr. J. A. Saldanha. | 11. Mr. C. Ramasomayajulu. |
| 2. " Abdul Hamid Khan. | 12. " Basheer Ahmad Sayeed Sahib. |
| 3. " C. S. Govindaraja Mudaliyar. | 13. Sriman Biswanath Das Mahasayo. |
| 4. " G. Hariservottama Rao. | 14. Mr. R. Srinivasa Ayyangar. |
| 5. " C. N. Muthuranga Mudaliyar. | 15. " K. Koti Reddi. |
| 6. " K. V. R. Swami. | 16. " L. K. Tulasiram. |
| 7. " D. Narayana Raju. | 17. " C. Marudavanam Pillai. |
| 8. " Dr. B. S. Mallayya. | 18. " K. V. Krishnaswami Nayakar. |
| 9. " K. R. Karant. | 19. " K. Madhavan Nayar. |
| 10. " C. Obi Reddi. | 20. " K. S. Sivasubramania Ayyar. |

Ayes 68. Noes 20.

30th January 1929]

The closure motion was carried.

The hon. the PRESIDENT :—"The question is that the consideration of 3-30 the Madras University (Amendment) Bill be postponed." p.m.

The question was put to the House and declared lost.

Mr. Basheer Ahmad Sayied demanded a poll and the House divided thus :—

Ayes.

- | | |
|------------------------------------|------------------------------------|
| 1. Mr. Sami Venkatachellam Chetti. | 14. Mr. A. Prasuraama Rao. |
| 2. " S. Satyamurti. | 15. " C. Ramasomayaajulu. |
| 3. " P. Anjaneyulu. | 16. " Basheer Ahmad Sayeed. |
| 4. " P. C. Venkatapati Raju. | 17. Sriman Biswanath Das Mahasayo. |
| 5. " J. A. Saldanha. | 18. Mr. A. Kaleswara Rao. |
| 6. " Abdul Hamid Khan. | 19. " R. Srinivasa Ayyangar. |
| 7. " C. S. Govindaraja Mudaliyar. | 20. " K. Koti Reddi. |
| 8. " G. Harisarvottama Rao. | 21. " L. K. Tulasiram. |
| 9. " K. V. R. Swami. | 22. " C. Marudavanam Pillai. |
| 10. " D. Narayana Raju. | 23. " K. V. Krishnaswami Nayakar. |
| 11. Dr. B.S. Mallayya. | 24. " K. Madhavan Nayar. |
| 12. Mr. K. R. Karant. | 25. " K. S. Subrahmanya Ayyar. |
| 13. " C. Obi Reddi. | |

Noes.

- | | |
|--|--|
| 1. The hon. Sir Norman Marjoribanks. | 33. Mr. W. P. A. Soundara Pandia Nadar. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 34. " S. Subrahmanya Mooppanar. |
| 3. " Mr. T. E. Moir. | 35. " Daniel Thomas. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 36. " S. V. Vanavudaya Goundar. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 37. " S. Venkiah. |
| 6. " Mr. S. Muthiah Mudaliyar. | 38. Kai Sahib M. Hampayya. |
| 7. " Dr. P. Subbarayan. | 39. Rao Sahib R. Srinivasan. |
| 8. Dr. (Mrs.) S. Muthulakshmi Reddi. | 40. Mr. F. E. Corley. |
| 9. Diwan Bahadur P. Kesava Pillai. | 41. " W. E. Smith. |
| 10. Mr. Alladi Krishnaswami Ayyar. | 42. " C. E. Wood. |
| 11. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur. | 43. " F. E. James. |
| 12. Mr. H. A. Watson. | 44. " R. J. C. Robertson. |
| 13. " C. A. Sontar. | 45. " H. F. P. Hearson. |
| 14. " S. H. Slater. | 46. " S. N. Dorai Raja. |
| 15. " A. McG. C. Tampoe. | 47. " S. Arpudaswami Udayar. |
| 16. " C. W. E. Cotton. | 48. " K. Ramachandra Padayachi. |
| 17. " V. Ch. Johri. | 49. " G. R. Premayya. |
| 18. " M. A. Manikkavelu Nayakar. | 50. Swami A. S. Sahajanandam. |
| 19. " Syed Tajuddin Sahib. | 51. Mr. V. Ramjee Rao. |
| 20. " A. B. Shetty. | 52. " Obavadi K. Subrahmanyam Pillai. |
| 21. " J. Bheemayya. | 53. " C. Gopala Menon. |
| 22. " R. Foulkes. | 54. " B. Ramachendra Reddi. |
| 23. " P. J. Gnanavaram Pillai. | 55. Sir A. P. Patro. |
| 24. " Mahmud Sohamnad Sahib. | 56. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 25. The Zamindar of Singampatti. | 57. Mr. P. T. Rajan. |
| 26. Subadar-Major S. A. Nanjappa Bahadur. | 58. Rao Bahadur S. Ellappa Chettiyar. |
| 27. Rao Bahadur O. M. Narayanan Nambudripad. | 59. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 28. Mr. T. M. Narayanaswami Pillai. | 60. Mr. Muhammad Khadir Mohidin Sahib. |
| 29. " N. Siva Raj. | 61. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 30. " M. V. Gangadhara Siva. | 62. Rao Bahadur B. Muniswami Nayudu. |
| 31. Rao Sahib L. C. Guruswami. | 63. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 32. Mr. V. I. Muniswami Pillai. | 64. Mr. K. Sarabha Reddi. |
| | 65. Kumararaja of Venkatagiri. |
| | 66. Mr. A. V. Shanaji Rao. |

Ayes 25. Noes 66.

The motion was lost.

[30th January 1929]

The hon. the PRESIDENT :—"Dr. Mallayya has sent me a slip containing a motion which reads as follows :—

'Let all amendments be put to the vote of the House *en bloc* and declared carried.'

"I say that no such motion is admissible."

The following amendments standing in the name of the hon. Dr. P. Subbarayan were put and carried :—

Class II—Other Members.

Sub-clause (ii).

Third proviso.

In line 2, for the figure '(i)', substitute the letter '(a)'

Sub-clause (iii).

In line 2, omit the words 'under the preceding sub-section.'

In lines 3 and 4 for the words 'University authorities', substitute the words 'Authorities of the University'.

Clause 23.

In items (d), (e) and (f) for the words 'constituent and affiliated colleges' substitute the words 'constituent, affiliated and oriental colleges'.

Item (e).

In line 2, for the word 'between' substitute the word 'among'.

Sriman BISWANATH DAS Mahasayo :—"I beg to move the amendment, standing against my name as follows :—

Item (g).

"In line 3, after the words 'Oriental learning' add the words 'Indian system of medicine'."

* The hon. the PRESIDENT :—"The hon. Member has moved another amendment regarding the inclusion of the Indian system of medicine. There was already a vote of the House on an amendment relating to the same subject. May I know if there is any distinction between that amendment and this amendment?"

Sriman BISWANATH DAS Mahasayo :—"That is different in the sense that the present amendment proposes to include the Indian system of medicine not in research work but in the faculties."

* The hon. the PRESIDENT :—"The amendment is in order."

* Sriman BISWANATH DAS Mahasayo :—"Sir, my amendment is simple. It proposes to include the Indian system of medicine as one of the faculties in the Madras University. I think that was the aim with which the Government began to encourage the Indian system of medicine. An elaborate enquiry was instituted and the Indian School of Medicine was started. The Usman Committee also laid down very definite recommendations as to how

30th January 1929] [Sriman Biswanath Das Mahasayo]

Indian universities might encourage this science. I do not want to waste the time of the House by going into the reasons and citing authorities. I have found that reasons always do not weigh more than party considerations with most of the hon. Members. This is a very plain thing and if you hon. Members of this House want to encourage the Indian system of medicine and if you want that the study of the system be undertaken by our universities, I think that you could do nothing more than voting for this amendment."

Mr. G. HARISARVOTTAMA RAO:—"I have very great pleasure in seconding the amendment. I feel that wisdom has dawned even late on the hon. the Minister in charge of the Bill. Indian medicine has so often arrested the attention of the Treasury Bench. Even to-day there was a great discussion on this subject to include it in the faculties of the University of Madras, and that is the only thing which the Government can do at the present stage. It should have found a place in research. Anyhow it is over and I do not want to waste the time of this Council on that point now. But so far as its inclusion in the faculties is concerned, I think there should be absolutely no objection. If there is a sincerity to develop the Indian system of medicine, they must without hesitation accept this amendment and agree to work the Act by giving encouragement to the Indian system of medicine by including it in the faculties."

The hon. Dr. P. SUBBARAYAN:—"I have no objection to accept the amendment."

The amendment was put to the House and carried.

The following amendment standing in the name of the hon. Dr. P. Subbarayan was put to the vote and carried:—

Item (h).

'For the words "University Laboratories, University libraries, University institutes of Research, hostels instituted by the University, constituent colleges instituted by the University" substitute the words "University laboratories, libraries and institutes of research, constituent colleges and hostels instituted by the University."'

Item (j).

The hon. Dr. P. SUBBARAYAN:—"I beg to move the amendment standing against my name as follows:—

'In line 4 after the word "thereon" at the end, add the word "and"'. This is merely a drafting amendment. I formally move it.'

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN:—"I beg to move the amendment standing against my name—

Item (k).

'Omit item (k) and reletter item (l) as (k).'

"Sir, powers have been given to the Board of Studies for appointing examiners. Hence I move for the omission of this clause."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

[30th January 1929]

The hon. Dr. P. SUBBARAYAN:—"I beg to move—

Item (l).

'In item (k) as so relettered in line 3, for the words "representing the affiliated colleges", substitute the words "who are principals or teachers of affiliated colleges".'

"Sir, section 24 (k) as relettered provides that not less than one-third of the members of the Standing Committee shall be members representing affiliated colleges. It is desirable to specify the members representing those colleges. Only principals or teachers in colleges can come under the category of members representing affiliated colleges—vide section 23 (1), class I (5) and (6) and class II (3) and (4)."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

Clause 24.

* Sriman BISWANATH DAS Mahasayo:—"I beg to move—

'In line 5 after the words "Oriental Learning", add the words "Indian System of Medicine."'

3-45
P.m.

"Sir, this amendment proposes nothing more than to give effect to the amendment that was just accepted so generously and nobly by the hon. Minister in charge. Sir, unless you force the executive to adopt a certain course of action we have found from our sad experience that they are not willing to do so. The idea of encouraging this system of medicine was conceived in 1922. A committee was appointed which toured throughout India and after an elaborate investigation submitted a report in 1923, after due consideration of which the Government started the Indian School of Medicine. They also desired that the local bodies should give encouragement to this system. Since then five years have elapsed and no further step has been taken in the matter. If the House is really anxious to encourage this system and if the hon. Minister really means to give it a status in the University so necessary for the growth of the science, he ought really to accept this amendment after so recently accepting another amendment to the same effect."

The hon. the PRESIDENT:—"I should like to discourage loud conversations across the table which cause great inconvenience."

Sriman BISWANATH DAS Mahasayo:—"I think, Sir, we will have to force the hands of the hon. Minister and make him accept this amendment."

Mr. K. R. KARANT:—"I second it."

* The hon. Dr. P. SUBBARAYAN:—"Sir, I am afraid I cannot accept this amendment. This does not come in the same category as the previous amendment which I accepted. This amendment, if passed into law, will mean that the University should at once constitute a faculty of Indian Medicine, which I do not think will be possible at present. We have already passed a clause by which a member representing Indian medicine may be put on the faculty of Oriental Learning. I think the University will be prepared to do that. We should not in any way make the work of the University bodies difficult. Under these conditions, I think I have to oppose the amendment."

30th January 1929]

* Mr. BASHEER AHMED SAYEED:—"Sir, I am unable to follow the hon. Minister. We have already passed an amendment to the effect that the Academic Council shall have the power to constitute faculties including Indian system of medicine as well. Then it logically follows that the University should have faculties of arts among which the Indian system of medicine is one. I do not see how by the acceptance of this amendment the University will be called upon to constitute such a faculty at once. Nor does it seem to me to follow from the argument of the hon. Minister. His position is entirely untenable. This amendment is only a logical corollary of the one already passed. This attempt of the Minister seems to me to be only another way of getting out of what the Council has already passed. I therefore urge upon the House to accept this amendment, and not to be misguided by the Minister."

* Mr. G. HARISARVOTTAMA RAO:—"Sir, I am particularly sorry that the learned Minister should say that this motion would be handicapping the work of the University. He said that Indian medicine might be represented on the faculty of Oriental Learning. I do not know whether he does not understand it or has not attempted to understand it or pretends not to understand it. Indian medicine cannot be clubbed with Oriental Learning. It is a living science and art, and has to compete with Western medicine. It requires fresh sources of strength. The hon. Minister said that Indian medicine was not competent to have a faculty of its own. It contains three branches, the Siddha, Unani and Ayurvedic systems, with their own theories and practices. These three put together ought to constitute a faculty in a progressive university; otherwise it would be a mere farce to accept the previous amendment [item (g)] and object to the present one."

* The hon. the PRESIDENT:—"I have already remarked that loud conversations across the table cause great inconvenience to the speakers and also to the President in following the speakers. I repeat the warning and I hope it will be respected in future."

Mr. G. HARISARVOTTAMA RAO:—"It is not right for the hon. the Minister to tell us at the dictation of the Advocate-General who is at best only an expert in law, that a representative of Indian medicine might not be included in the faculty of Oriental Learning."

Mr. ALLADI KRISHNASWAMI AYYAR:—"On a point of order, Mr. President, I never said so."

* The hon. the PRESIDENT:—"It is not a point of order; it is only a personal explanation."

Mr. G. HARISARVOTTAMA RAO:—"I am prepared to take the explanation of the Advocate-General though it has been given in a faltering manner."

"I have to say that the hon. the Minister's advisers either in Law or in Medicine are wrong. They do not know the intensity of feeling in the country over this question. They do not know the importance to this country of this system of medicine. I can even refer to that autocrat of to-day who sits on the Treasury Bench, the hon. Sir Usman. He is an authority; but probably his vote is tied. It is a pity that the Minister who claims to be ruling in the name of the people should tell us that this subject

[Mr. G. Harisarvottama Rao]

[30th January 1929]

cannot have a faculty of its own. It is a woeful admission of his ignorance of the systems of medicine in this country. I appeal to the House to accept the amendment."

Mr. L. K. TULASIRAM:—"Sir, the words, 'the Indian system of medicine' ought to be added to clause 24, because this clause relates to the several faculties of this University. We add the faculty of Indian medicine to the list. When once the Chief Minister was so generous as to allow the Academic Council to create this faculty, it follows that the University should also have the power of starting the faculty of Indian system of medicine. It is very consistent and natural. When a small body like the Academic Council has that power, the bigger body should also have the power to establish a faculty of Indian medicine. When the supreme body has not got the power, the subordinate bodies cannot also have it. It is logical, legitimate, consistent and proper that if this is to be introduced anywhere, it is in clause 24 and not in any other place. I see no reason why the Chief Minister should fight shy of these two words."

The amendment was put to the House and declared carried. A poll was demanded and the House divided thus:

Ayes.

- | | |
|--------------------------------------|--|
| 1. Dr. (Mrs.) S. Muthulakshmi Reddi. | 21. Mr. C. Ramasamayajulu. |
| 2. Diwan Bahadur P. Kesava Pillai. | 22. Basheer Ahmed Sayeed Sahib Bahadur. |
| 3. Mr. G. Premayya. | 23. Mr. P. Bhaktavatsulu Nayudu. |
| 4. Swami A. S. Sahajanandam. | 24. Srikanth Biswanath Das Mahasayo. |
| 5. Mr. V. Ramjee Rao. | 25. Mr. A. Kaleswara Rao. |
| 6. " S. Satyamurti. | 26. " R. Srinivasa Ayyangar. |
| 7. " C. V. Venkataramana Ayyangar. | 27. " K. Koti Reddi. |
| 8. " P. Anjaneyulu. | 28. " L. K. Tulasiram. |
| 9. " P. C. Venkatapathi Raju. | 29. " C. Marudavanam Pillai. |
| 10. " J. A. Saldanha. | 30. " K. V. Krishnaswami Nayakar. |
| 11. Abdul Hamid Khan Sahib Bahadur. | 31. " K. Madhavan Nayar. |
| 12. Mr. C. S. Govindaraja Mudaliyar. | 32. " K. S. Sivasubramanya Ayyar. |
| 13. " G. Harisarvottama Rao. | 33. " A. Ranganatha Mudaliyar. |
| 14. " C. N. Muthuranga Mudaliyar. | 34. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 15. " K. V. R. Swami. | 35. Mr. Ramanath Goenka. |
| 16. " D. Narayana Raju. | 36. " R. Nagan Gowda. |
| 17. " K. Uppi Sahib. | 37. " K. R. Venkatarama Ayyar. |
| 18. " K. R. Karant. | 38. " K. P. Raman Menon. |
| 19. " C. Obi Reddi. | 39. " C. Gopala Menon. |
| 20. " A. Parasurama Rao Pantulu. | |

Noes.

- | | |
|---|--|
| 1. The hon. Sir Norman Marjoribanks. | 14. Mr. C. W. E. Cotton. |
| 2. " Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 15. " V. Ch. John. |
| 3. " Mr. T. E. Moir. | 16. " M. A. Manikkavelu Nayakar. |
| 4. " Diwan Bahadur M. Krishnan Nayar. | 17. " A. B. Shetty. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 18. " J. Bheemayya. |
| 6. " Mr. S. Muthiah Mudaliyar. | 19. " J. A. Davis. |
| 7. " Dr. P. Subbarayan. | 20. " R. Foulkes. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 21. " P. J. Gnanavaram Pillai. |
| 9. Khan Bahadur Muhammad Bazul-ul-lah Sahib. | 22. Mahmud Schammad Sahib. |
| 10. Mr. H. A. Watson. | 23. The Zamindar of Singampatti. |
| 11. " C. A. Souter. | 24. Subadar-Major S. A. Nanjappah Bahadur. |
| 12. " S. H. Slater. | 25. Mr. T. M. Narayanaswami Pillai. |
| 13. " A. McG. C. Tampoe. | 26. " N. Siva Raj. |
| | 27. " M. V. Gangadhara Siva. |
| | 28. " L. C. Guruswami. |
| | 29. " V. I. Muniswami Pillai. |

30th January 1929]

Noes—cont.

- | | |
|--|--|
| 30. Mr. W. P. A. Soundara Pandia Nadar. | 44. Mr. P. T. Rajan. |
| 31. „ S. Subrahmanya Moopanar. | 45. „ T. K. Chidambaranatha Mudaliyar. |
| 32. „ Daniel Thomas. | 46. Rao Bahadur S. Ellappa Chettiyar. |
| 33. „ S. V. Vanavudaiya Gounder. | 47. Khan Bahadur S. K. Abdul Razaek Sahib Bahadur. |
| 34. „ S. Venkiah. | 48. Mohammad Khadir Mohideen Sahib Bahadur. |
| 35. Rao Sahib R. Srinivasan. | 49. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 36. Mr. F. E. Corley. | 50. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 37. „ W. E. Smith. | 51. Rao Bahadur B. Muniswami Nayudu. |
| 38. „ F. E. James. | 52. Mr. K. Sarabhareddi. |
| 39. „ E. J. C. Robertson. | 53. The Kumara Raja of Venkatagiri. |
| 40. „ H. F. P. Hearson. | 54. Mr. A. V. Bhanoji Rao. |
| 41. „ S. N. Dorai Raja. | |
| 42. Rao Bahadur Sir A. P. Patro. | |
| 43. Diwan Bahadur P. C. Ethirajulu Nayudu. | |

Ayes 39.

Noes 54.

The amendment was lost.

* The hon. the PRESIDENT :—“ Mr. Tulasiram has just handed to me 4 p.m. an amendment relating to line 4 of this clause. The Council has now disposed of an amendment in line 5 of the clause; therefore his amendment cannot be allowed under Standing Order No. 32 (3) which runs thus :— ‘ After a decision has been given on an amendment to any part of a clause or motion, no amendment which arises at an earlier point of the clause or motion shall be moved.’ I therefore disallow the amendment.”

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I move the following amendment :—

‘ In line 8, for the words “ Otherwise the ” substitute the word “ The ” and in line 9, after the words “ Faculties shall ”, insert the words “ in all other respects ”.’

This is only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Clause 28.

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I beg to move the following amendment :—

‘ In line 2, for the word “ For ” substitute the figure and word “ (i) for ”.

‘ In the new sub-clause (c) for the words “ affiliation with ” substitute the words “ affiliation to ”.’

It is only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Sub-clause (ii).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I move the following amendment :—

‘ For sub-clause (ii), substitute the following sub-clause, namely :—

‘ (ii) clauses (e) and (m) shall be omitted and clauses (f), (g), (h), (i), (j), (k), (l) and (n) re-lettered as (e), (f), (g), (h), (i), (j), (k) and (l) respectively.’

This is only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

[Dr. P. Subbarayan]

[30th January 1929]

Clause 28—cont.

Sub-clauses (iii) and (iv) and new sub-clause (v).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I beg to move the following amendment :—

‘ Omit the word “ and ” at the end of sub-clause (iii); insert that word at the end of sub-clause (iv) and after sub-clause (iv) insert the following sub-clause, namely :—

“ (v) in clause (k) as so re-lettered, after the word ‘ graduates ’ at the end, the word ‘ and ’ shall be added.”

It is again a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I beg to second it.”

The amendment was put and carried.

Clause 29.

Sub-clause (i).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I move the following amendment :—

‘ For the words “ and the other sub-sections re-numbered accordingly,” substitute the words and figures “ and sub-sections (3) to (6) re-numbered as (1) to (4) respectively.”

It is again only a drafting amendment.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Clause 30.

Sub-clause (iv).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I beg to move the following amendment :—

‘ In line 4, after the word “ and ” insert the words “ before the words ‘ for tutorial and supplementary instruction ’ the word ‘ and ’ shall be inserted.”

This amendment is consequential to the amendment carried to clause 30, sub-clause (4) of this Bill.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

The amendment was put and carried.

Sub-clause (v).

The hon. Dr. P. SUBBARAYAN :—“ Sir, I move the following amendment :—

‘ In line 2, for the words “ and affiliated ” substitute the words “ affiliated and oriental ”.

This again is due to the oriental colleges being brought under the scope of the Bill.”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ I second it.”

(Mr. Basheer Ahmad Sayeed rose from his seat while the hon. the President was putting the amendment to the House.)

* The hon. the PRESIDENT :—“ The hon. Member must know that no member can rise in his place while the President is on his legs.”

30th January 1929]

The amendment was put and carried.

Clause 31.

The hon. Dr. P. SUBBARAYAN :—" Sir, I move the following amendment :—

' In line 3, insert the figure " 32 (1) " before the words " In making ordinances " . '

This is to rectify a clerical mistake."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it."

The amendment was put and carried.

Clauses 31-A to 40.

The hon. Dr. P. SUBBARAYAN :—" I beg to move, Sir, the following amendment :—

' Clauses 31-A, 32, 33, 34, 35, 36, 37, 38, 39 and 40 shall be re-numbered as 32, 33, 34, 35, 37, 38, 39, 40, 41 and 43 respectively. '

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it, Sir."

The amendment was put and carried.

Clause 31-A.

The hon. Dr. P. SUBBARAYAN :—" Sir, I beg to move the following amendment :—

' Re-number sub-clauses (i) and (ii) as (ii) and (iii) respectively and insert the following as sub-clause (i), namely :—

" (i) In sub-section (2), for the words ' recognized by the Senate ' the words ' recognized by the Syndicate ' shall be substituted. "

* The power to recognize the colleges, according to the amendment of the House which was carried, vests in the Syndicate under clause 19 (j) of the Act. Therefore it is necessary to substitute the word ' Syndicate ' for the word ' Senate ' ."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second the amendment."

Mr. BASHEER AHMAD SAYEED :—" Sir, the hon. Minister has simply moved the amendment. He did not give any reasons for this drastic change he seeks to make."

* The hon. the PRESIDENT :—" Is it a point of order ? "

* Mr. BASHEER AHMAD SAYEED :—" No, Sir. I want to oppose the amendment. The Senate is a larger and more representative body than the Syndicate. I should like to know what exactly are his reasons for moving such an amendment if he wants us to vote in his favour."

The amendment was put to the House and declared lost.

A poll was demanded and the House divided as follows :—

Ayes,

- | | |
|--------------------------------------|---|
| 1. The hon. Sir Norman Marjoribanks. | 5. The hon. Mr. M. R. Seturatnam Ayyar. |
| 2. " Khan Bahadur Sir Muhammad | 6. " Mr S. Muthiah Mudaliyar. |
| Usman Sahib Bahadur, | 7. " Dr. P. Subbarayan. |
| 3. " Mr. T. E. Moir. | 8. Dr. (Mrs.) Muthalakshmi Reddi. |
| 4. " Diwan Bahadur M. Krishnan | 9. Mr. Alladi Krishnaswami Ayyar. |
| Nayar. | |

[30th January 1929]

Ayes—cont.

- | | |
|---|--|
| 10. Khan Bahadur Muhammad Razul-ul-lah Sahib Bahadur. | 40. Mr. F. E. James. |
| 11. Mr. H. A. Watson. | 41. „ R. J. C. Robertson. |
| 12. „ C. A. Souter. | 42. „ S. N. Dorai Raja. |
| 13. „ S. H. Slater. | 43. „ K. Ramachandra Padayaachi. |
| 14. „ A. McG. C. Tampoe. | 44. „ G. R. Premayya. |
| 15. „ C. W. E. Cotton. | 45. Swami A. S. Sahajanandam. |
| 16. „ V. Ch. John. | 46. Mr. V. Ramjee Rao. |
| 17. „ M. A. Manickavelu Nayakar. | 47. „ A. Ranganatha Mudaliyar. |
| 18. Syed Tajuddin Sahib Bahadur. | 48. Diwan Bahadur K. N. Arogyaswami Mudaliyar. |
| 19. Mr. C. D. Appavu Chettiyar. | 49. Mr. Ramanath Goenka. |
| 20. „ A. B. Shetty. | 50. „ R. Nagan Gowda. |
| 21. „ J. A. Davis. | 51. „ K. R. Venkatrama Ayyar. |
| 22. „ R. Foulkes. | 52. „ K. P. Raman Menon. |
| 23. „ P. J. Gnanavaram Pillai. | 53. „ O. Gopala Menon. |
| 24. Mahmud Schammad Sahib Bahadur. | 54. „ B. Ramachandra Reddi. |
| 25. Zamindar of Singampatti. | 55. Rao Bahadur Sir A. P. Patro. |
| 26. Subadar-Major S. A. Nanjappa Bahadur. | 56. Diwan Bahadur P. O. Ethirajulu Nayudu. |
| 27. Mr. T. M. Narayanaswami Pillai. | 57. Mr. P. T. Rajan. |
| 28. „ N. Siva Raj. | 58. „ T. K. Chidambaranatha Mudaliyar. |
| 29. „ M. V. Gangadara Siva. | 59. Rao Bahadur S. Ellappa Chettiyar. |
| 30. Rao Sahib L. C. Guruswami. | 60. Khan Bahadur Abdul Razack Sahib Bahadur. |
| 31. Mr. V. I. Muniswami Pillai. | 61. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 32. „ W. P. A. Soundarapandia Nadar. | 62. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 33. „ S. Subrahmanya Moopanar. | 63. Rao Bahadur B. Muniswami Nayudu. |
| 34. „ Daniel Thomas. | 64. Mr. K. Sarabha Reddi. |
| 35. „ S. V. Vanavudaya Goundar. | 65. Kumararaja of Venkatagiri. |
| 36. „ S. Venkayya. | 66. Mr. A. V. Bhanoji Rao. |
| 37. Rao Sahib R. Srinivasan. | |
| 38. Mr. W. E. Smith. | |
| 39. „ F. E. Corley. | |

Noes.

- | | |
|-------------------------------------|------------------------------------|
| 1. Mr. S. Satyamurti. | 14. Mr. C. Obi Reddi. |
| 2. „ C. V. Venkataramana Ayyangar. | 15. „ C. Ramasamayajulu. |
| 3. „ P. C. Venkatapathi Raju. | 16. „ Basheer Ahmad Sayeed Sahib. |
| 4. „ J. A. Saldanha. | 17. „ P. Bhaktavatsulu Nayudu. |
| 5. Abdul Hamid Khan Sahib Bahadur. | 18. Sriman Biswanath Das Mahasaya. |
| 6. Mr. C. S. Govindaraja Mudaliyar. | 19. Mr. A. Kaleswara Rao. |
| 7. „ G. Harisarvottama Rao. | 20. „ R. Srinivasa Ayyangar. |
| 8. „ C. N. Muthuranga Mudaliyar. | 21. „ K. Koti Reddi. |
| 9. „ K. V. R. Swami. | 22. „ L. K. Tulasiram. |
| 10. „ D. Narayana Raju. | 23. „ G. Marudavanam Pillai. |
| 11. Dr. B. S. Mallayya. | 24. „ K. V. Krishnaswami Nayakar. |
| 12. K. Uppi Sahib Bahadur. | 25. „ K. Madhavan Nayar. |
| 13. Mr. K. R. Karant. | 26. „ K. S. Sivasubrahmanya Ayyar. |

Ayes 66.

Noes 26.

The amendment was carried.

Clause 32.

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I beg to move the following amendment :—

“ For clause 32, substitute the following clause, namely :—
 ‘ 33. In section 36 of the said Act—

- (i) In sub-section (1) for the word “ Madras ” the words “ the University of Madras ” shall be substituted ; and
- (ii) In sub-section (2) for the words “ constituent college or of an affiliated college ” the words “ constituent, affiliated or oriental college ” shall be substituted.”

30th January 1929]

[Dr. P. Subbarayan]

This is only to bring the oriental colleges under the provisions of the Act and also to make the wording of the section better by having the words 'the University of Madras' for the word 'Madras.'"

The hon. Mr. M. R. SETURATNAM AYYAR :—"I second it."

The amendment was put and carried.

Clause 33.

* The hon. Dr. P. SUBBARAYAN :—"I move :

"In line 6, for the word 'body' substitute the word 'electorate' and for the word 'appointed' substitute the word 'nominated'."

4-15
p.m.

This is to use the same word as is found in the Act."

It was duly seconded.

The motion was put and carried.

Clause 34.

The hon. Dr. P. SUBBARAYAN :—"I beg to move :

'After clause 34 insert the following clause, namely :—

"In section 40 of the said Act, after the words 'any degree' the word 'title' shall be inserted."

This has been done even before."

It was duly seconded.

* Mr. BASHEER AHMAD SAYEED :—"In this, Mr. President, the Minister seeks to insert a new clause which was not considered in the Select Committee apparently. I do not know, Mr. President, whether he is entitled to introduce altogether a fresh clause at the third reading without the same having gone through the usual course. I consider this is entirely out of order."

Mr. S. SATYAMURTI :—"On a point of order, Mr. President."

The hon. the PRESIDENT :—"Let us also have some variation."

* Mr. S. SATYAMURTI :—"I submit this for your examination and ruling, Sir, . . ."

* The hon. the PRESIDENT :—"Am I to understand that the hon. Member does not himself feel the force of his point?"

Mr. S. SATYAMURTI :—"I do feel, Sir, but I have not made up my mind."

* The hon. the PRESIDENT :—"The hon. Member says he has not made up his mind. I do think that I am bound to give a ruling before the hon. Member has made up his mind."

Mr. S. SATYAMURTI :—"If I make up my mind I feel the ruling should be against me. I feel it is prima facie . . ."

* The hon. the PRESIDENT :—"I am not concerned with the point of order if the hon. Member does not raise it seriously."

Mr. S. SATYAMURTI :—"I make it seriously, but I have not made up my mind that it is a point of order lest the ruling should be against me."

* The hon. the PRESIDENT :—"Suppose I have agreed with the hon. Member, will he then be sorry?"

Mr. S. SATYAMURTI :—"No, I shall be glad. (Laughter.)

[Mr. S. Satyamurti]

[30th January 1929]

" Clause 33 of the Bill states ' For section 38 of the said Act, the following section shall be substituted, etc.' Then, Sir, the next clause of that Bill is: ' For section 42 of the said Act, etc.' That goes on to deal with section 42 of the Act of 1923. This new clause which my hon. Friend wants to insert is a clause following section 40 of the Act of 1923. That section deals with removal from membership of the University. The point which I desire to submit for your ruling is this. First of all, it is not open to this House or to the Select Committee to deal with the clauses of the Act not touched by amending Bills. The hon. the Chief Minister's amending Bill did not touch section 40 of the University Act of 1923 as such, and there was no amendment put before the House or considered by the Select Committee, so far as section 40 of the Act is concerned. Now for the first time my hon. Friend suggests the introduction of a new clause in a section which was not sought to be amended by his original amending Bill or by the Select Committee or by this House in the second reading . . . "

* The hon. the PRESIDENT :—" To put it short, the hon. Member's point is that section 40 of the Act deals with the removal of members, that the principle involved in it was not in the original Bill of the Chief Minister, nor was it examined by the Select Committee, and that for the first time he is introducing it in the shape of an amendment."

The hon. Dr. P. SUBBARAYAN :—" I withdraw."

The amendment was by leave withdrawn.

The hon. Dr. P. SUBBARAYAN :—" I move—

' In line 6, for the words " in the Act " substitute the words " in this Act."

This is a verbal amendment."

The motion was duly seconded, put and carried.

Clause 39.

The hon. Dr. P. SUBBARAYAN :—" I move:

' After clause 41 as so renumbered, insert the following clause, namely :—

42. Rules as to the management of the affiliated college fund made under section 54 of the said Act shall be deemed to be statutes under the said Act as amended by this Act, and shall continue to be in force as such till they are replaced by such statutes.'

" Although the Council of Affiliated Colleges has ceased to exist under this Bill, provision has to be made with regard to the management of the fund and hence this amendment."

* Mr. S. SATYAMURTI :—" I have got some difficulty in this matter. The section relating to the affiliated college fund has been repealed by clause 37 of the Bill which says section 54 of the said Act shall be omitted. If the section which gave the power to the Senate to create the affiliated college fund and make rules as to its management, if that section is repealed, I take it that the constitutional consequence is that all the Acts done in pursuance of the power vested in particular bodies under that section must cease hereafter, until we find another authority or set of rules created for the purpose of administering the fund. My hon. Friend the Minister's amendment simply says that the rules shall be deemed to be statutes made under this Act. My difficulty is this. What are those rules? Can we by some referential legislation as it were make into statutes rules the existence or nature of which this Council has no

30th January 1929]

[Mr. S. Satyamurti]

knowledge of? You will notice, Mr. President, that the Minister makes a statement that there are certain rules made and invites the House to give those rules statutory authority until they are replaced by statutes to be made, I take it, under this Act. My position is this. This House is accustomed to approve of rules placed before it, either by a section of the Act itself or by schedules annexed to it, that the rules framed hereafter shall have statutory power or in the alternative the House is quite familiar with giving power to Government to frame rules thereunder. But here we have an extraordinary procedure that a set of rules exists somewhere made by an authority under a section of the Act which has now been repealed, and the house is invited to approve all these rules. Is it in order to call upon this House to approve the rules the existence of which the House has no knowledge of? Moreover, I am in a difficult position in the absence of the Education Minister and his legal adviser the Advocate-General. To ask this House to give inferential statutory approval is, I say, not proper legislation. Moreover, we cannot give these rules the same position as statutes for the making of which elaborate provisions are to be observed. These statutes are to be made either by the Senate at the initiative of the Syndicate, or a member. Once they are made they have to be sent to the Vice-Chancellor for approval and it is only with the approval of the Chancellor such decisions become statutes. It seems to me inconsistent with the whole scheme of statutes under the University Act, that rules made with regard to a small fund for its management should become statutes and further this section also provides, Mr. President, that the rules with regard to the management of a fund cannot be altered or managed except by a fresh, elaborate process of amending the statutes."

* The hon. the PRESIDENT :—"I wish to know whether the question of making any rules as to the Affiliated College Fund is within the scope of the Bill introduced in the Council."

Mr. S. SATYAMURTHI :—"I am obliged to you for drawing my attention. When the motion for the omission of section 54 was made, undoubtedly the attention of the House was not drawn, to the best of my recollection, to any rules having been made or contemplated to be made. I therefore, with due deference to you, raise the point of order that the whole question of their statutory validity cannot be ex post facto raised at this state. I submit this for your consideration and ruling."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"Mr. President, Sir, there are two points raised by the hon. Member for the University :—(1) A point of order based on the ground that the subject matter of the clause was not before the House in the earlier stages ; (2) there is no purpose served by the clause as the Council of Affiliated Colleges has been abolished."

"There is nothing in the first point. With regard to the second point section 54 was before the House. If that section is repealed it is germane to the consideration of that repeal to deal with the allied question as to what is to become of the Affiliated College Fund, and the rules which are in force with regard to the Affiliated College Fund."

"It is not correct to say that the whole of section 54 is repealed. As a matter of fact in another section provision is made for the Senate having the power to make regulations or rules with regard to Affiliated College Fund. Sub-clause (2) of clause 17 runs thus: The Senate has the power 'to create and manage an Affiliated College Fund and make statutes therefor.' Though the Council of Affiliated Colleges goes out, the Affiliated College Fund does

[Mr. Alladi Krishnaswami Ayyar] [30th January 1929]

not really go out. It is not right to say that the whole of section 54 is repealed. Section 54 as it stood, ran thus :

‘The Senate may on the recommendation of the Council of Affiliated Colleges and subject to the approval of the Chancellor, create an Affiliated College Fund and make rules as to its management.’

“Only the recommendation of the Council of Affiliated Colleges goes out, because among the general powers of the Senate, there is a provision to the effect that the Senate shall have the right to have an Affiliated College Fund. Strictly speaking, the whole of section 54 has not been repealed, but it is really the portion “on the recommendation of the Council of Affiliated Colleges and subject to the approval of the Chancellor” that has been repealed. Therefore, it was thought, as a matter of drafting, that it was unnecessary to repeat it here. I should certainly think that so far as the first point is concerned, the whole question was before the House and the question as to whether the Affiliated College Fund has to go out is before the House. Secondly, what was to become of the Affiliated College Fund, was also before the House. Then, which is the authority which has to deal with the Affiliated College Fund? That is before the House, because the Senate is given the power to make statutes in regard to the Affiliated College Fund.

“Therefore, I respectfully submit to the Chair, that so far as the first point is concerned, it was not before the House. As regards the other point, I take a different view and it seems to me to be unnecessary to have the present clause itself. For example, if a particular clause is repealed under the General Clauses Act, whatever rights and whatever machinery that then exist, will continue to be in work. The Senate has got the power to make statutes. The Senate can to-morrow make necessary rules for the purpose of regulating the Affiliated Colleges Fund. I should think that there is no necessity to have this new clause that is now sought to be introduced. At any rate, there is no harm in having it because it is merely *ex abundante cautela*. No doubt the Senate has got a right to constitute an Affiliated Colleges Fund for the future. I take it that the object of the amendment now sought to be introduced is to provide for the interregnum, to see that there is no dead-lock. The House has already acceded to the continuance of the Affiliated College Fund. The intention of the framers of the amendment is to provide for the interim period. It is impossible to take the view that the question of the Council of Affiliated Colleges was not before the House, simply because you repealed one section and put in another section and that the various sections relating to that were not before the Select Committee. I have not had the advantage of being present at the earlier stages of the discussion, but that is what occurs to me.”

* Mr. S. SATYAMURTI :—“I do not know if, in the light of the second part of the remarks of the hon. Advocate-General, the hon. Minister is going to withdraw his amendment. If he proposes to do so, I do not propose to address you. On the point of order, Mr. President, I am afraid that, with all my great respect for the profound knowledge of law which the Advocate-General, I know, possesses, I cannot really postulate with equal vehemence that it is impossible to take the other view. The other view, I submit, is completely tenable. On the ground that the question of the repeal of the Affiliated College Fund was before this House, you will remember, you were good enough to suggest whether the question of the rules to be made for the management of that fund under that section was before the House at any

30th January 1929]

[Mr. S. Satyamurti]

previous stage. I submit, after having listened very carefully to the argument from my hon. Friend the learned Advocate-General, that I still feel that the question of the rules for the management of the Affiliated College Fund was not before the House at any of its stages. Sir, you will notice that the two relevant sections are sub-clause (2) of clause 17, which merely gives power to the Senate inter alia to create and manage an Affiliated College Fund, and section 37 which repeals completely section 54 of the Act. Therefore while these two sections taken together contemplate these two things, namely, the abolition of the fund and the power to make rules for its management on the one hand, and on the other, giving the senate, as the supreme governing authority of the university further to make statutes for the management of the fund, the question of the rules as such was not before the House at any stage, so far as I remember. Therefore, my point of order, which I submit for your consideration of the House is this."

* The hon. the PRESIDENT:—"The question is, when you are repealing a section, the rules made under it to control the funds that were raised under it are also by implication, for the consideration of the House, because the select committee will have to examine where actually provisions were made to give effect to the intentions of the repealing section and whereafter you repeal, you have to provide for all the fees, how to levy the fees, with whom they should vest and how they should be managed. That is also a matter for consideration, because the whole section has to be repealed."

MR. S. SATYAMURTI:—"That is a question of fact, Mr. President. As a matter of fact, at no time I was informed of this either by this hon. House or by the select committee of any rules having been made, the repeal of which was contemplated by this section."

* The hon. the PRESIDENT:—"I do not think we are not considering facts. Here is section 54 contemplating the creation of an Affiliated College Fund. That section is being repealed and therefore as to what has become of the fund raised under section 54 is also a matter connected with section 54. I therefore think that this is within the scope of the amending Bill."

* MR. S. SATYAMURTI:—"I merely want to dot the i's and cross the t's of the statement of the hon. and learned Advocate-General. He has given a complete answer against the continuance of this section on the statute book. If really it is clear—and I take it it is clear—I entirely agree with him that such machinery as may have been created for the management of this fund will naturally continue. Moreover, the section to which attention has been drawn, namely, section 17 (20), reinforces my point. As a matter of fact, there is no lacuna in the Bill at all. There is the statutory provision for the Senate which is the supreme statutory body to make statutes for the management of this fund. *Ex abundante cautela* may sometimes be used as an argument for justifying sections in a statute. The statute has already been passed and you must take it as a case in which the authors of the statute have put in that as a matter of abundant caution. When you are making a statute, it seems to me an unsound and weak argument to try to justify the clause, although you are convinced that it is *ex abundante cautela*. This is no doubt a weak argument advanced by the hon. the Chief Minister if he thinks that this clause must remain. I am sure he has been convinced as I am convinced by the speech of the hon. Advocate-General, that there is no need for this clause. In these circumstances, I want to ask the Chief Minister to consider whether he would withdraw it."

[30th January 1929]

The hon. Dr. P. SUBBARAYAN :—" In view of what the hon. and learned Advocate-General has said I beg to withdraw this amendment with the permission of the House."

* The hon. the PRESIDENT :—" The hon. Member has no right of reply, I think."

The hon. Dr. P. SUBBARAYAN :—" I was only going to say that I was going to withdraw."

The amendment was by leave withdrawn.

The Schedule.

The hon. Dr. P. SUBBARAYAN :—" I move—

' that in rule 1 of the schedule, for the words and figures " not later than the 31st March 1930 " substitute the words and figures " not later than the 31st day of March 1930 " . '

This is only a drafting amendment."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it, Sir."

The amendment was put and carried.

The hon. Dr. P. SUBBARAYAN :—" I move

*In rule 2 of the schedule in the second proviso, in line 1, for the word " however " substitute the word " also ", and after the same proviso, insert the following further proviso, namely :—
' Provided also that no election shall be held in the case of vacancies which would have had to be filled up by election by the Council of Affiliated Colleges under the said Act . '*

" This is necessary in view of the proposal to abolish the Council of Affiliated Colleges."

* Mr S. SATYAMURTI :—" I should like to ask my hon. Friend, the Chief Minister, if this is absolutely necessary I want to remind him, Sir, that yesterday an election was held to the Syndicate from the Council of Affiliated Colleges and Mr. Nilakanta Sastri was elected. Supposing some vacancy arises between now and the 31st March 1930, I do not see why an election should not be held to fill up the vacancy which will have to be filled up if the Council of Affiliated Colleges continues. I do not think there are really going to be very many difficulties and I do not want, Sir, that any statutory body created by this House should function with vacancies which will not be filled up. If it is a case of three months I would agree, but it is more than a year between now and 31st March 1930. I therefore appeal to my hon. Friend to withdraw this."

The hon. Dr. P. SUBBARAYAN :—" In view of what my hon. Friend has said, I have no objection to withdraw it, Sir."

The amendment was by leave withdrawn.

The hon. Dr. P. SUBBARAYAN :—" I move that—

' In rule 3 of the schedule in line 5, for the word " terms " substitute the word " term " . '

That is the word used in the rule and I only want to make it uniform."

The amendment was put to the House and carried.

30th January 1929]

The hon. Dr. P. SUBBARAYAN :—“ I move—

In rule 4 of the schedule, in line 4, for the figure “ (i) ” substitute the letter “ (a) ”.

This is a consequential amendment, Sir.”

The amendment was put to the House and carried.

The hon. the PRESIDENT :—“ We have disposed of the amendments. Now the hon. the Chief Minister’s motion that the Bill be passed into law is for the consideration of the House.”

* Mr. J. A. SALDANHA :—“ Sir, I am not sure whether I can congratulate the hon. the Chief Minister on the shape of the Bill as introduced by him and to the shape it has taken at the conclusion. Originally the Bill was brought forward not only to get rid of the Council of Affiliated Colleges but also to get rid of the development of university centres. In fact in the original Bill even the definition of “ University centre ” was omitted. The object of the Bill was to deprive it of the character given to it in the original Act, that is to create and foster university centres. But I am glad to say that that character has been maintained.”

* The hon. the PRESIDENT :—“ I am afraid the hon. Member is speaking about the Andhra University. (Loud laughter).”

* Mr. J. A. SALDANHA :—“ No, Sir. The object we have got in maintaining the university is attained. It is true we have got rid of the Council of Affiliated Colleges.”

* The hon. the PRESIDENT :—“ Is there anything in the Bill referring to the development of university centres ? ”

* Mr. J. A. SALDANHA :—“ The hon. the Chief Minister wanted practically to get rid of the university centres. In the original Bill even the definition of university centres was omitted.”

* The hon. the PRESIDENT :—“ The Bill as amended is for the passing of the Council. I do not think the original Bill as introduced can form the subject matter of discussion at this stage.”

* Mr. J. A. SALDANHA :—“ Well, Sir, I cannot congratulate the hon. Minister and I have given the reasons for it. I am glad that the House has boldly voted for sufficient compensation to make up for the abolition of the Council of Affiliated Colleges, by means of compensatory clauses. The representative of the University in this Council, though he was forcing the abolition of the Council of Affiliated Colleges, had made ample provision by means compensatory clauses, to give sufficient representation of Affiliated Colleges in the Senate and in the other bodies of the University. Even though a mistake was committed in the Bill originally in the select committee stage as to one point, now in the third reading this omission has been made good by an amendment which was allowed by the hon. the President and the House. With these words, Sir, though I do not congratulate the ministerial party, I congratulate the House in bringing about an Act which I believe would answer the expectations and wishes of the people at large.”

* Mr. BASHEER AHMAD SAYIED :—“ Mr. President, Sir, I rise to oppose the motion of the hon. the Chief Minister. I do so especially in view of the fact that all the amendments that were passed today have not been the result of much mature consideration and deliberation by the members of the House. Many of the members, Mr. President, were not able to follow the amendments that were being proposed from time to time by the hon. the

4-45
p.m.

[Mr. Basheer Ahmad Sayeed] (30th January 1929)

Minister. They had not got the original Act with them. Probably it was supplied to them or it was not. Even if it was supplied, they did not bring it with them to this House. And then, the amending Bill itself was not before them in its complete form and if the amending Bill was supplied to them it should have been supplied to them pretty long ago and the same should have been republished for the benefit of all. All the same, members did not have copies with them when these amendments were moved and supposed to be discussed. And then, the amendments themselves were so many and varied that they could not be followed. Besides, Mr. President, there are two or three vital facts on account of which this Bill should not be allowed to be passed into law so quickly as that. The representation of the registered graduates has not been enlarged. It is the same 30. Then with regard to certain outside bodies, some bodies were arbitrarily given some representation, whereas others were not. For instance, the Madras Chamber of Commerce and the South Indian Chamber of Commerce were given representation but the Andhra Chamber of Commerce was not given any representation. Then again, the way in which the hon. the Chief Minister has treated the question of the inclusion the Principal of the Indian School of Medicine as one of the ex-officio members of the academic Council, is deplorable. By a motion the hon. Members of the opposition sought that the system of Indian Medicine should be given its proper place in the amending Bill, but the Minister opposed it tooth and nail, until at last it was shown to him that the opposition resented his conduct very strongly and he had at last to yield, and when he yielded once, he wanted to go back upon his previous position. Mr. President, the character of the Bill to a large extent is changed by the amendments and the character of the original Act is still more changed. (At this stage, the Chief Minister was talking with another Member.)"

* The hon. the PRESIDENT :—"I have to point out again that you are causing inconvenience both to the Chair and to the members of the House. (A voice :—"It is a chronic disease.")"

The hon. Dr. P. SUBBARAYAN :—"I apologise to the Chair, Sir."

* Mr. BASHEER AHMAD SAYEED :—"I was mentioning that in view of the fact that there were very large changes made in the original Bill at the second reading stage and also to-day at the third reading, it is very necessary and desirable that before the Bill is passed into law some time should elapse and it should be republished if rules allow it for the sake of the members of this Council or at least copies of the Bill as amended should be supplied to the members of the Council, before they can give an intelligent vote as to whether they really feel that the changes in this Bill were so necessary, and if necessary whether the Bill should be passed into law at all. So it is that I oppose this Bill. I am also sorry that several of the amendments which involved very good principles as their basis and which were moved by the opposition were not accepted simply because the Minister felt he had a very big majority and could vote down even the most reasonable amendment, which he thought was not acceptable to him. I therefore hope, Mr. President, that the Minister will not insist on the passing of this Bill into law so quickly as that, especially in view of the haphazard way in which we have gone through the amendments this morning and evening."

* Mr. S. N. DORAI RAJA :—"Mr. President, even now I am one of those who think that the abolition of the Council of Affiliated Colleges is a great blunder. It was due to sentiment. . . ."

30th January 1929]

* The hon. the PRESIDENT:—"Order, order. I do not think hon. Members will be in order to reflect upon the vote of the House by referring to the various motions that were carried."

* Rajkumar S. N. DORAI RAJA :—"Sir, I congratulate the hon. the Minister for the skill with which he piloted this Bill through the Council against much opposition and obstruction. I congratulate him on this fact that the Academic Council was given the rightful place and was properly made the real academic authority of the University and on the other great improvements in the old Act."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I am particularly sorry that congratulations should have been showered upon the hon. the Minister for Education for the manner in which he has piloted this Bill through this House. At the third reading stage, Sir, we had eleven pages of amendments of which nine pages belonged to the hon. the Minister himself. At every stage during the passage of the amendments, wherever there was a substantial point that was raised, he had to yield to the opposition. (A voice:—"Friendly opposition".) It was a friendly opposition I agree, but a Minister in a responsible position when he brings forward amendments at the third reading stage, should bring in such amendments as are merely verbal and as are likely to be accepted by the whole House. He is not to bring in amendments, Sir, which require careful consideration, amendments which require time to think, and amendments on which a discussion would arise, more so when he has not made up his own mind as to the amendments that he should introduce. The fact that the Minister for Education conceded the points raised by the opposition time after time is proof positive that he did not devote any care to the drafting of the amendments that he proposed. Such a procedure is very strange and such a procedure can be tolerated only in an unfortunate country like this where Ministers rule with but three or four elected members at their back. It was time that the Ministers on the Treasury benches realized that they are responsible to their electorates, and to the country at large and desisted from asking us to pass legislation, to submit to their will and to sit idle when changes of an important character are being made, as in the present Bill, when they are riding rough-shod over the ordinary canons of legislative activity for any government. It is a wonderful feat that the hon. the Minister has performed in regard at any rate to one of the amendments that were moved. We are certainly not satisfied with the conduct of the Minister in the discharge of his duties. He has at his back a large number of votes for which we in the opposition can never be held responsible or for which the country can ever take any responsibility. And since he has such votes at his back, it must have been his desire to meet the opposition on all reasonable occasions. But in spite of that, on most vital matters that affect the country, on most vital matters that affect the national life of the Presidency, he was prepared to brush aside all reasonable opposition and exercise his strength, the strength that he possesses in virtue of the vote he has at his command."

* The hon. the PRESIDENT:—"The hon. Member will make a more relevant speech on the next occasion. The House will now adjourn and meet again at, 11 a.m. to-morrow."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

[30th January 1929]

APPENDIX I.

[Vide answer to question No. 1150-A asked by Mr. P. Anjaneyulu at the meeting of the Legislative Council held on the 30th January 1929, page 317 supra.]

Note by the Chief Engineer for Irrigation, dated 29th April 1910.

The Appapuram Project was originally proposed for the purpose of reclaiming the swamped land on the right bank of the Commamur canal of the Kistna Western Delta from 18th to 30th mile and making it fit for cultivation. It consists of two parts, one called the drainage scheme, for generally improving the drainage of the lands above the Commamur canal, in order to ensure the safety of the crops from submergence, and the other, the irrigation scheme, for excavating an irrigation channel from the Commamur canal in order to bring under irrigation the area so drained. After some correspondence and discussion, the Government of India in their letter No. 1262 I., dated 29th July 1907, sanctioned estimates for the drainage and irrigation schemes which have hitherto been dealt with together and which amounted to Rs. 2,95,071 and Rs. 3,03,020, respectively. The sanction was however subject to certain modifications suggested by the Inspector-General of Irrigation in his note, dated 28th July 1907. These modifications and others found necessary from the further investigation since carried out, involved further revision of the estimates which has resulted in the cost of the drainage and irrigation schemes being increased to Rs. 3.47 lakhs and Rs. 5.26 lakhs, respectively.

2. The estimate for the *drainage* scheme has been separated and dealt with in G.O. No. 110 I., dated 9th April 1910. The work has been nearly completed and in the above Government Order, the revised estimate has been approved and ordered to be forwarded to the Government of India for sanction.

3. As regards the *irrigation* scheme the original proposal was to excavate a channel from the Commamur canal above Kollimerla lock for the irrigation of 11,900 acres. The proposal as subsequently altered and sanctioned by the Government of India, was to take the channel from above Jagarlamudi lock to irrigate 20,000 acres, the object of increasing the area being to make the whole project more profitable. The estimate as now revised amounts to Rs. 5.26 lakhs. The causes of the excess are explained in detail in the report, the chief being increase in rates and the complete recasting of the proposals and re-alignment of the channel on the best possible line.

4. The area proposed to be irrigated being 20,500 acres, the capital cost per acre amounts to Rs. 26. This is probably nearly double the rate at which new lands available elsewhere in the delta, can be brought under wet cultivation and it will not therefore be such a profitable undertaking to Government to bring this land under wet cultivation as was previously anticipated. Also the whole of this land will ultimately come under the

30th January 1929]

Kistna Reservoir Project, although this is unlikely to happen for some years to come. For these reasons the undersigned cannot recommend the irrigation scheme as finally drawn up.

5. It was always intended to complete the drainage works before putting in hand the irrigation scheme and it is not at all improbable that it may be found that the increased waterway provided under the canal and the other works connected with the drainage scheme will render the above lands sufficiently immune from submersion to make it unnecessary to convert them into wet on this account. Again the irrigation channel as now designed, although it has been carefully worked out and the arrangements are believed to be the best possible, is not a very satisfactory channel and will, on account of cross drainage, be troublesome to maintain. The Chief Engineer for Irrigation has therefore no hesitation in recommending—

(1) that the high level channel as now designed be finally dropped ;

(2) that the effect of the improved drainage arrangements be observed for a few years before attempting any irrigation scheme ; and

(3) that if experience shows that any of the lands above the canal are still rendered unfit for dry cultivation on account of submersion, an irrigation scheme should be worked out of only sufficient scope to provide for irrigating the lands so rendered unfit.

6. If the above recommendations are accepted early arrangements should be made to resell the lands acquired for the irrigation project upon which an expenditure of Rs. 63,759 has been incurred. It is understood that it is probable that the original owners will in most cases be willing to take back their lands at the prices paid to them by Government, but if not they will have to be sold by auction.

C. A. SMITH,
Chief Engineer for Irrigation.

APPENDIX II.

[Vide answer to question No. 1152 asked by Mr. K. V. R. Swami at the meeting of the Legislative Council held on the 30th January 1929, page 319 supra.]

Letter from R. F. STONEY, Esq., Officiating Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated Madras, the 4th April 1928, No. 15/27-C.E.P.

I have the honour to state that the Superintending Engineer, Waltair Circle, has now submitted an approximate estimate amounting to Rs. 3 lakhs for providing five travelling machines for raising the falling shutters on the Godavari Anicut, based on the estimate furnished by the General Superintendent, Public Works Workshops, Madras. Compared with the original

[30th January 1929]

estimate of Rs. 72,600 there is an excess of Rs. 2,27,400. The excess is mainly due to the fact that provision made in the original estimate was for travelling machines of the type of those in use at Bezwada before the installation of the new 6 feet shutters, while the General Superintendent made provision for machines similar to the one now in use at Bezwada. The Superintending Engineer has also included provision for fitting, fixing the rails and preparing a level platform about 12 feet wide behind the shutters and for raising the pivots of the shutters by 1 inch which were omitted by the General Superintendent. As the shutters to be manipulated at Dowlaisheram are only 2 feet $2\frac{3}{4}$ inches, such a higher power machine as suggested by the General Superintendent does not appear necessary.

2. As regards revenue forecast, the Superintending Engineer reports that it is not possible to give a definite forecast of the area to be irrigated and the amount to be realized, as the lands yet to be brought under cultivation are only small areas here and there, in different villages throughout the East and West Godavari districts. He adds that until a detail survey is made, the actual extent cannot be arrived at.

3. The Superintending Engineer now considers that the expenditure of Rs. 3 lakhs proposed above is very heavy and is not warranted, as 3 feet of water over the crest of the anicut necessary to send full supply to the canals in the Central delta can also be maintained by raising the pivots of the shutters by another inch with a small cost of Rs. 2,600. I agree with the Superintending Engineer. The estimate of Rs. 2,600 may be worked out and result watched before taking further action in the matter. I am instructing the Superintending Engineer accordingly.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

30th January 1929].

APPENDIX III.

[Vide answer to question No. 1154 asked by Mr. K. V. R. Swami at the meeting of the Legislative Council held on the 30th January 1929, page 321 supra.]

Statement showing the number of buildings constructed for officers at Head-works of the Cauvery-Mettur Project.

Serial number and class of buildings.	Number constructed.	Capital cost	By whom occupied.
1 Chief Engineer ..	1	RS. 24,965	Messrs. C. T. Mullings, Engineer-in-Chief.
2 Superintending Engineer ..	2	18,904	W. P. Roberts, Superintending Engineer, Machinery.
3 Executive Engineers (Western style) ..	5	18,822	C. G. Herbert, Collector.
		14,591	F. M. Dowley, Personal Assistant to the Engineer-in-Chief.
		16,920	A. H. S. Campbell, Executive Engineer, Construction Division.
		16,712	H. A. Irwin, Executive Engineer, Water-works and Drainage Division.
		15,931	L. Henshaw, Executive Engineer, Workshop and Machinery Division.
4 Executive Engineers (Indian style) ..	2	16,513	B. A. Harris, Audit Officer.
		15,660	L. Venkatakrishna Ayyar, Executive Engineer, Stores and Tests Division.
		15,781	B. Matadeva Ayyar, Executive Engineer, Camps and Buildings Division.
		2,479	S. Narasimha Kamath, Subdivisional Officer, Dam Line, West Subdivision.
		3,482	A. Chidambaram Pillai, Subdivisional Officer, Central Subdivision.
		4,516	P. Srinivasa Ayyar, Subdivisional Officer, Stores.
		5,875	S. R. Gopala Ayyar, Subdivisional Office Ellis Saddle.
		5,674	A. Subrahmanya Ayyar, Subdivisional Officer, Workshops.
		2,479	D. Purniah, Subdivisional Officer, Power House.
		5,344	S. Ramannajachari, Subdivisional Officer, Camps and Buildings.
5 Subdivisional Officer ..	17	5,358	M. S. Bhaskara Ayyar, Subdivisional Officer, Headquarters.
		6,163	T. R. Narasimhachari, Subdivisional Officer, Water-works.
		5,316	P. S. Viswantha Ayyar, Subdivisional Officer, Dam Line No. 2.
		3,482	V. Sekhara Menon, Subdivisional Officer, Quarry.
		2,479	C. T. D'Silva, Subdivisional Officer, Dam Line No. 1.
		5,814	Syed Miranji Sahib, Revenue Divisional Officer.
		4,502	R. Mahalinga Ayyar, Superintendent, Audit Office.
		4,482	Soundararaja Ayyangar, Superintendent, Audit Office.
6 Health Officer ..	1	2,479	N. R. Subrahmanya Ayyar, Special Deputy Collector, as a temporary measure for camp use.
		3,482	One quarter vacant—Given to a supervisor temporarily.
		5,935	S. G. Masilamani Pillai, Health Officer.
7 Assistant Surgeon.	1	5,672	B. Govindaraja Shencoi, Assistant Surgeon.

[30th January 1929]

APPENDIX IV.

[Vide answer to question No. 1155 asked by Mr. A. Kaleswara Rao at the meeting of the Legislative Council held on 30th January 1929, page 321 supra.]

* 584 Q.—MR. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) the number of acres on which inclusion fee has not been paid up to end of fasli 1337 though they were included in the ayacut of Kistna Eastern Delta;

(b) the number of acres out of them which have been cultivated wet by ryots on which penal assessments have been levied by Government in faslis 1337, 1336 and 1335, respectively; and the total amount of penal assessments levied on them in each one of those three faslis; and

(c) the number of acres out of them which are kept waste by ryots in each one of these three faslis for fear of penal assessment being levied?

A.—(a) In respect of 4,259.39 acres selected for inclusion in the ayacut subject to payment of the inclusion fee such fee had not been paid up to the end of fasli 1337.

	Fasli.		Extent.		Amount of penalty.		
			ACS.		RS.	A.	P.
(b)	1337	...	...	263.86	6,422	15	2
	1336	...	...	349.42	6,523	7	2
	1335	...	...	434.03	3,585	13	2

(c) The areas of lands selected for inclusion, but for which the inclusion fee was not paid and which were left waste in each fasli were—

Fasli.		Extent.	
		ACS.	
1335	...	...	4,526.68
1336	...	...	4,204.32
1337	...	...	3,930.13

Of these areas it is not possible to say what proportion was left waste for fear of penal assessment. In most cases the main reason why the land was left waste was that it had not been brought to an irrigable level.

30th January 1929]

APPENDIX V.

[Vide answer to question No. 1177 asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 30th January 1929, page 343 supra.]

List of members of the District Board, South Arcot, for the quarter ending 30th September 1928.

President—Elected—Non-official—Exofficio.

M.R.Ry. Rao Bahadur K. Sitarama Reddiyar Avargal, B.A., B.L., M.L.C., 1st March 1927—25th February 1930. N.B. High Court Vakil and Shrotriyamdar, Cuddalore N.T.

Vice-President—Elected—Non-official—Nominated.

1 M.R.Ry. A. Rajaratna Mudaliyar Avargal, B.A., B.L., 7th September 1926—6th September 1929. N.B. First-grade Pleader, Cuddalore N.T.

Members—Nominated—Officials.

2 M.R.Ry. A. Upendra Pai Avargal, B.A., 23rd February 1926—22nd February 1929. B. Collector of South Arcot, Cuddalore, N.T.

3 Mrs. G. M. Sargunar, B.A., L.T., 22nd March 1927—21st March 1930. I.C. (Protestant lady). Superintendent, Government Training and Secondary Schools for Girls, Cuddalore N.T.

Members—Nominated—Non-officials.

4 'Reverend' Father P. Verdure, 1st November 1927—31st October 1930. E. Principal, St. Joseph's High School, Cuddalore N.T.

5 M.R.Ry. A. S. Sahajanandaswami Avargal, M.L.C., 9th August 1927—8th August 1930. A.D. Manager, Nandanar School, Chidambaram.

6 G. Gill, Esq., 1st November 1927—31st October 1930. E. Agent, Messrs. Parry & Co., Cuddalore O.T.

7 M.R.Ry. T. Abboy Nayudu Garu, B.A., 1st November 1927—31st October 1930. N.B. Retired Deputy Collector, Cuddalore N.T.

8 M.R.Ry. M. Annuswami Mudaliyar Avargal, 7th September 1926—6th September 1929. I.C. (Roman Catholic). Mittadar, Cuddalore.

9 Vacant.

10 Vacant.

[30th January 1929]

Members—Elected—Exofficio.

- 11 M.R.Ry. T. Muthumalla Reddiyar Avargal, 5th June 1928—14th May 1931. N.B. Landlord, Brahmadesam, President, Taluk Board, Tindivanam.
- 12 „ K. M. Doraiswami Reddiyar Avargal, 29th May 1928—14th May 1931. N.B. Landlord, Kilathaniyalampet. President, Taluk Board, Tirukkoyilur.
- 13 „ A. Lakshminarayana Reddiyar Avargal, 28th August 1928—14th May 1931. N.B. Landlord, President, Taluk Board, Cuddalore
- 14 „ Vadivelu Pillai Avargal, 12th June 1928—14th May 1931. N.B. Landlord, President, Taluk Board, Chidambaram.
- 15 „ M. G. Parthasarathi Mudaliyar Avargal, 12th April 1928—11th April 1931. N.B. Pleader, President, Taluk Board, Vriddhachalam
- 16 „ T. S. Thambuswami Nayudu Garu, 12th June 1928—14th May 1931. N.B. Mirasidar, Thirthanagiri, Alapakam Post.
- 17 „ T. M. Jambulinga Mudaliyar Avargal, 12th June 1928—14th May 1931. N.B. Mirasidar, Tirukandeswaram via Nellikuppam.
- 18 „ Rao Bahadur R. K. Venugopal Nayudu Garu, B.A., B.L., 12th June 1928—14th May 1931. N.B. Landlord, Cuddalore N.T.
- 19 „ A. Jayaramamurthi Padayachi Avargal, 12th June 1928—14th May 1931. N.B. Mirasidar, Palur via Nellikuppam.
- 20 Muhammad Ali Sayid Sahib Bahadur, 12th June 1928—30th September 1931. M. Mirasidar, Siruvadi, Nagar Post.
- 21 T. J. Muhammad Ismail Sahib Bahadur, 12th June 1928—14th May 1931. M. Merchant, Tindivanam.
- 22 M.R.Ry. D. Balu Chettiyar Avargal, 12th June 1928—14th May 1931. N.B. Merchant, Tindivanam.
- 23 „ S. Kuppuswami Goundar Avargal, 12th June 1928—14th May 1931. N.B. Merchant, Villupuram.
- 24 „ T. M. Thambusrinivasa Reddiyar Avargal, 12th June 1928—14th May 1931. N.B. Mirasidar, Vikravandi Post.
- 25 „ V. Munuswami Mudaliyar Avargal, 12th June 1928—14th May 1931. N.B. Mirasidar, Kaliyampoondi, Anniyur Post.
- 26 „ R. S. Perianna Goundar Avargal, 12th June 1928—14th May 1931. N.B. Mirasidar, Melpappambadi, Pennathur Post via Tiruvannamalai.
- 27 „ V. Gopala Goundar Avargal, B.A., 12th June 1928—14th May 1931. N.B. Pleader, Tindivanam.
- 28 „ Kasba K. Tirunavukkarasu Pillai Avargal, 10th July 1928—14th May 1931. N.B. Landlord, Kattumanargudi.

30th January 1929]

Members—Elected—Ex-officio—*cont.*

- 29 M.R.Ry. P. N. Murugesam Pillai Avargal, 10th July 1928—27th March 1931. N.B. Landlord, Vilagam, Lalpet Post.
- 30 „ V. Sundara Reddiyar Avargal, 10th July 1928—11th March 1931. N.B. Landlord, Alambadi, Bhuvana-giri Post.
- 31 „ T. Govindaswami Padayachi Avargal, 10th July 1928—14th May 1931. N.B. Mirasidar, Agaranallur, Chidambaram Post.
- 32 „ V. Arunachala Chettiyar Avargal, 22nd May 1928—1st March 1931. N.B. Cloth Merchant and Landlord, Vriddhachalam.
- 33 „ D. Rajaratna Padayachi Avargal, 22nd May 1928—4th November 1930. N.B. Mirasidar, Nemam via Vridhachalam.
- 34 „ Thangavelu Odayar Avargal, 26th June 1928—14th May 1931. N.B. Mirasidar and Monigar, Sellimpalayam, Veppur Post.
- 35 „ A. Ponnuswami Nainar Avargal, 3rd July 1928—30th November 1929. N.B. Mirasidar, Ulundurpettai.
- 36 „ A. Ponnuswami Odayar Avargal, 3rd July 1928—14th May 1931. N.B. Mirasidar, Athipakkam, Tirukoyilur taluk.
- 37 „ J. Padmanabha Rao Avargal, B.A., B.L., 3rd July 1928—30th March 1931. B. Pleader, Kallakurichi.
- 38 „ K. Rangaswami Nayudu Garu, 3rd July 1928—14th May 1931. N.B. Mirasidar, Soundaravallipalaiyam, Sankarapuram Post.
- 39 „ A. V. Kandaswami Padayachi Avargal, 3rd July 1928—14th May 1931. N.B. Mirasidar, Arasur, Tirukoyilur taluk.
- 40 „ S. A. Ratnakara Mudaliyar Avargal, 7th February 1928—24th June 1929. N.B. Mirasidar, Seedavi village, Rishivandiyam Post.

APPENDIX VI.

[Vide answer to question No. 1182 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 30th January 1929, page 346 supra.]

Statement showing the cases where apportionment of temple lands has been decided upon in schemes of administration settled by the Hindu Religious Endowments Board in accordance with the policy enunciated by it in paragraph 8 of its second Administration Report.

Serial number and name of district.	Taluk.	Village.	Name of institution.	B.O. number and date of settling scheme.	Total extent and income derived.	Portion allotted to archakas.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Guntur. ..	Guntur ..	Yenamadala ..	Sri Venugopalaswami	100, dated 9th April 1926.	35 acres and 22 cents; income Rs. 500.	Land 26.42 acres in extent allotted for remuneration for service and for expenses of daily worship.
2. Do. ..	Ongole ..	Kanu parti ..	Sri Yelleswaraswami.	193 A, dated 22nd June 1926.	54 acres and 36 cents; income Rs. 400.	Land 32.62 acres in extent allotted for remuneration for service and land 21.74 acres in extent for expenses of daily worship.
3. Do. ..	Do. ..	Do.	Sri Sitharamaswami.	193, dated 22nd June 1926.	47 acres and 60 cents; income Rs. 400.	Land 28.56 acres in extent allotted for remuneration for service and land 19.04 acres in extent for expenses of daily worship.
4 Do. ..	Do. ..	Nidamalur ..	Sri Ramalingeswaraswami.	337-A, dated 7th October 1926.	30 acres and 15 cents; income Rs. 2,250.	The trustees empowered to allot a reasonable portion of land for remuneration for service and for expenses of daily worship in the ratio of 3 : 2.
5. Do. ..	Guntur ..	Konnipād ..	Sri Anjaneyaswami.	312-A, dated 17th September 1926.	86 acres and 92 cents; income Rs. 500.	Land 43.46 acres in extent allotted for remuneration for service and for expenses of daily worship.

[30th January 1929]

6. Do.	..	Do.	..	Do.	..	Sri Kasivisweswaraswami.	312, dated 17th September 1926.	89 acres and 69 cents; income Rs. 450.	Land 44.85 acres in extent allotted for remuneration for service and for expenses of daily worship.
7. Do.	..	Repalli	..	Muthupalli agharam.	..	Sri Sitharamaswami.	175, dated 1st April 1927.	106 acres and 95 cents; income Rs. 2,500.	Land 42.78 acres in extent allotted for remuneration for service and land 28.52 acres in extent for expenses of daily worship and for Margali Masa utsavam.
8. Do.	..	Tenali	..	Balijepalli agharam.	..	Sri Malleswaraswami.	187-B, dated 7th April 1927.	28 acres and 46 cents; income Rs. 1,000.	Land 11.38 acres in extent allotted for remuneration for service and land 7.54 acres in extent for expenses of daily worship.
9. Do.	..	Guntur	..	Thodikonda	..	Sri Veerachenna Mallikharjanswami. Sri Kedareshwaraswami temple.	289, dated 16th May 1927.	32 acres and 74 cents; income Rs. 825	Land not exceeding 20 acres allotted for (a) arachakam service and (b) for expense of daily worship, three-fifths of the income from the said lands being utilized for (a) and the remaining two-fifths for (b).
10. Do.	..	Do.	..	Do.	..	Sri Mulastaneswaraswami including Parvathamma and Rajarajeswari.	290, dated 16th May 1927.	17 acres and 54 cents; income Rs. 500.	Arobaka to be given salary not exceeding Rs. 25 a month or land 8.77 acres in extent for remuneration for service and for expenses of daily worship.
11. Do.	..	Do.	..	Tenali town	..	Sri Ramalingeswaraswami.	323, dated 1st June 1927.	24 acres and 81 cents; income Rs. 1,900.	Arobaka to be given salary not exceeding Rs. 60 a month or land fetching an income equal to the salary fixed (about 10 acres in extent) for remuneration for service and the trustee empowered to allot a reasonable portion of the remaining land of the temple for expenses of daily worship.

Statement showing the cases where apportionment of temple lands has been decided upon in schemes of administration settled by the Hindu Religious Endowments Board in accordance with the policy enunciated by it in paragraph 8 of its second Administration Report—*cont.*

Serial number and name of district.	Taluk.	Village.	Name of institution.	B.O. number and date of settling scheme.	Total extent and income derived.	Portion allotted to archakas.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
12. Guntur	.. Guntur	.. Tenali town	.. Sri Venugopalaswami.	324, dated 1st June 1927.	26 acres and 43 cents; income Rs. 1,800.	Archaka to be given salary not exceeding Rs. 50 a month or land fetching an income equal to the salary fixed (about 9 acres in extent) for remuneration for service, a reasonable portion of the remaining land being allotted for expenses of daily worship.
13. Do.	.. Guntur	.. Tenali town	.. Sri Goverdhanaswami.	325, dated 1st June 1927.	11 acres and 82 cents; income Rs. 900.	Archaka to be given salary not exceeding Rs. 25 a month or land fetching an income equal to the salary fixed (about 4 acres in extent) for remuneration for service and a reasonable portion of the remaining land being allotted for expenses of daily worship.
14. Do.	.. Bapatla	.. Karlapalem	.. Sri Janardanaswami.	31, dated 16th January 1928.	12 acres and 0.9 cents; income Rs. 800.	Land 7 acres in extent allotted for general purposes. Out of the remaining land 4 acres allotted for remuneration for service and 1 acre for expenses of daily worship.
15. Do.	.. Guntur	.. Doppalapudi	.. Sri Malleswaswami.	203-A, dated 19th April 1928.	16 acres and 80 cents; income Rs. 1,000.	Archaka to be paid salary not exceeding Rs. 50 a month or allotted land 4.20 acres in extent for (a) remuneration for service and 2.80 acres of land for (b) expenses of daily worship.
16. Ganjam	.. Bompét	.. Bompét town	.. Seetharamaswami Kodandaramaswami.	188, dated 5th April 1927.	130 acres and 28 cents; income Rupees 1,500.	Archaka to be paid Rs. 400 a year for (a) remuneration for service and Rs. 300 a year for (b) expenses of daily worship or land fetching an income of Rs. 700 a year (about 65 acres 14 cents in extent) to be allotted for both (a) and (b).

17.	West Godavari.	Bhimavaram ..	Andalur ..	Gopalaswami ..	281-A, dated 13th May 1927.	14 acres and 1 cent; income Rs. 700.	Archaka to be paid Rs. 240 a year for (a) remuneration for service and Rs. 240 a year for (b) expenses of daily worship or land fetching an income of Rs. 480 a year (about 9 acres 60 cents in extent) to be allotted for both (a) and (b).
18.	Do.	Bhimavaram ..	Andalur ..	Mallewaraswami ..	281, dated 13th May 1927.	8 acres and 19 cents; income Rs. 500.	Archaka to be paid Rs. 180 a year for (a) remuneration for service and Rs. 120 a year for (b) expenses of daily wor-
19.	Do.	Narsapur ..	Sivadevuni Chikkala.	Sri Sivadevaswami ..	284, dated 13th May 1927.	44 acres and 69 cents; income Rs. 2,000.	ship or land fetching an income of Rs. 300 a year (about 5 acres in extent), to be allotted for both (a) and (b). Archaka to be paid Rs. 300 a year for (a) remuneration for service and Rs. 300 a year for (b) expenses of daily wor-
20.	Do.	Bhimavaram ..	Thokalapudi ..	Madhavaswami ..	443, dated 10th August 1927.	13 acres and 86 cents; income Rs. 500.	expenses of daily worship of land fetching an income of Rs. 600 a year (about 15 acres and 35 cents in extent) to be allotted for both (a) and (b). Archaka to be paid Rs. 15 a month for (a) remuneration for service and Rs. 10 a month for (b) expenses of daily worship or land fetching an income of Rs. 300 a year (about 8 acres in extent) to be allotted for both (a) and (b).
21.	Do.	Thanuku ..	Vadali ..	Agasteswaraswami ..	266, dated 17th May 1928.	55 acres and 65 cents; income Rs. 2,100.	Land fetching an income of Rs. 400 a year (about 10 acres and 57 cents in extent) to be allotted for archakatvam service. <i>Remarks.</i> —Money allotted for expenses of daily worship.
22.	Do.	Thanuku ..	Velagadurra ..	Visweswaraswami and Mallewaraswami.	272, dated 17th May 1928.	20 acres and 28 cents; income Rs. 600.	Land fetching an income of Rs. 300 a year and Rs. 120 a year respectively (about 14 acres and 18 cents) to be allotted as (a) remuneration for service and for (b) expenses of daily worship.
23.	Do.	Thanuku ..	Aithempudi Ag- raharan.	Sarabha Mallewaraswami.	280, dated 13th May 1927.	15 acres and 8 cents; income Rs. 1,250.	Archaka to be paid Rs. 240 a year for (a) remuneration for service and Rs. 180 a year for (b) expenses of daily worship or land fetching an income of Rs. 420 a year (about 5 acres and 10 cents) to be allotted for both (a) and (b).

Statement showing the cases where apportionment of temple lands has been decided upon in scheme of administration settled by the Hindu Religious Endowments Board in accordance with the policy enunciated by it in paragraph 8 of its second Administration Report—*cont.*

Serial number and name of district.	Taluk.	Village.	Name of institution.	B.O. number and date of settling scheme.	Total extent and income derived.	Portion allotted to archakas.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
24. West Godavari.	Thannuku ..	Chivatam ..	Ekambareswara-swami.	305, dated 16th June 1928.	15 acres and 36 cents; income Rs. 450.	Land fetching an income of Rs. 350 a year (about 12 acres in extent) to be allotted for both re-
25. East Godavari.	Ramachandra-puram.	Draksharama ..	Bhimeswaraswami ..	159, dated 24th April 1927.	129 acres and 35 cents; income Rs. 8,000.	Archaka ^o to be paid Rupees 1,500 a year or land fetching an income of Rs. 1,600 (about 24 acres in extent) to be
						allotted for remuneration for service.
26. Kistna ..	Gudivada ..	Peddammaddali ..	Malleswaraswami ..	292, dated 16th May 1927.	17 acres and 14 cents; income Rs. 1,400.	Archaka to be paid 1/3 of the total income from the lands (about Rs. 467) of land fetching an
						income of 1/3 of the total income (about 5 acres 71 cents in extent) to be allotted for remuneration for service.
27. Do. ..	Divi ..	Nidumolu ..	Sannidheswaraswami.	274, dated 17th May 1928.	26 acres and 53 cents; income Rs. 700.	Ten acres of land to be allotted for remuneration for service and 5 acres for (b) expenses of daily worship.
28. Nellore ..	Kovvur ..	Vidavalcor ..	Veerabhadraswami ..	417, dated 30th November 1926.	2 acres and 64 cents; gross income Rupees 200.	1.98 acres of land allotted for archaka service and expenses of worship.
29. Do. ..	Nellore ..	Brahmadevam ..	Kailasanadhaswami..	70, dated 6th October 1925.	67 acres and 32 cents; income Rs. 1,050.	Ten acres of land yielding an annual income of about Rs. 450 allotted for (a) remuneration for
						service and for (b) expenses of daily worship in the proportion of 3/5 for (a) and 2/5 for (b).

APPENDIX VII.

[Vide answer to question No. 1184 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 30th January 1929, page 347 supra.]

Name of municipality or other authority.	Name of town-planning scheme.	Total estimated cost.	How financed.	Amount of loan if any sanctioned.	Remarks.
		RS.		RS.	
1. Anakapalle ..	Nidanam Doddi ..	2,94,000	Acquisition and sale of sites.	55,000	Not completed. Acquisition of land is proceeding.
2. Chittoor ..	Vanniar Block, Part I.	6,000	Do.	67,000	Completed but not completely built up.
3. Do. ..	Do. ..	4,130	Do.	9,000	Not completed; no demand for plots as yet.
4. Madura ..	Eastern extension, Part I.	1,04,412	Municipal funds and sale of public building sites and private contribution.	76,000	Municipal funds .. 6,573 Lands demarcated. Sale of sites .. 20,895 Detailed estimate for works Private contribution. 10,716 stated to be under preparation.
5. Madras ..	Mambalam ..	34,22,200	Acquisition and sale of sites and betterment claim.	5,00,000	Acquisition completed; works in progress. Sale of plots going on and considerable building activity.
6. Do. ..	Puliyur 47/1 ..	Nil.	(Owner's scheme adopted by Trust.)	..	Completed.
7. Mangalore ..	No. 10. Market ward.	43,500	Municipal funds ..	..	Recently sanctioned by Government.
8. Manaparai (Union Board).	Sethurathnapuram ..	640	Sale of sites ..	..	Due to delay in shifting the cattle market from the scheme area, the scheme is not yet completed.
9. Nellore ..	Gulam Alikhanpet ..	1,750	Owner's scheme adopted by the municipality.	..	In progress. Cost to be borne by the owner of the scheme.
10. Do. ..	Ayalur Venkanna Pantulu's Choultry.	Nil.	Do. ..	..	In progress.
11. Salem ..	Maravaneri ..	30,500	Municipal funds and betterment.	15,000	Nearing completion; betterment not claimed in time. Scheme successful.

30th January 1929]

APPENDIX

Name of municipality or other authority.	Name of town-planning scheme.	Total estimated cost.	How financed.	Amount of loan if any sanctioned.	Remarks.
12. Tirupati ..	Scheme No. I ..	RS. 95,000	Partly acquisition and sale of sites; private contribution and betterment.	RS. ..	Nearing completion.
13. Vizagapatam ..	Maharanipeta Block 4.	30,000		..	Rs. 10,000 proposed to be disbursed in 1928-29 and the balance (Rs. 20,000) will be provided for in 1929-30.
14. Do. ..	Market ward ..	..		..	Not sanctioned. But part of the scheme has been already ordered to be executed in anticipation.
15. Pattukkottai (Taluk Board).	Town extension ..	21,500	Acquisition and sale of sites.	15,000	Acquisition is being arranged for.
16. Palacole ..	Vemuvari ..	18,821	Do.	..	A loan of Rs. 50,000 is proposed to be provided in 1929-30. Arrangements being made for acquisition of land.
17. Do. ..	The Ashtabahu Lakshminarasimhaswami vari garden.	15,329			
18. Do. ..	Palivelavari garden ..	11,900			

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS